

JOURNAL

OF THE

CALLED SESSION, 1863,

AND THE

THIRD REGULAR ANNUAL SESSION,

OF

THE SENATE,

OF THE

STATE OF ALABAMA,

HELD IN THE

CITY OF MONTGOMERY,

Commencing on the 17th August, and the Second Monday
in November, 1863.



WITH AN INDEX,

PREPARED BY THE SECRETARY OF STATE.



MONTGOMERY, ALA.:

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JOURNAL.

THE STATE OF ALABAMA,)
MONTGOMERY COUNTY, AUGUST 17, 1863. {

BE it remembered, that on the 20th day of July, A. D., 1863, John Gill Shorter, Governor of the State of Alabama, issued his proclamation in the words and figures following, to-wit

EXECUTIVE DEPARTMENT,)
Montgomery, Ala., July 20th, 1863. {

By virtue of the power vested in the Executive by the Constitution of the State of Alabama, I, John Gill Shorter, Governor of said State, deeming the present an extraordinary occasion, do issue this my proclamation, directing that the two houses of the General Assembly of said State convene in the State Capitol, at Montgomery, on Monday, the seventeenth day of August, A. D., 1863.

In testimony whereof, I, John Gill Shorter, Governor of the State of Alabama, have hereto set my hand, and caused the Great Seal of the State to be affixed, this, the twentieth day of July, A. D., eighteen hundred and sixty-three, and of the independence of the Confederate States of America, the third year.

JOHN GILL SHORTER.

By the Governor.

P. H. BRITTAN, Secretary of State.

Pursuant whereto, on this 17th day of August, A. D., 1863, at the hour of 11 A. M., Mr. Reavis called the Senate to order by calling Mr. Jemison, of Tuscaloosa, to the chair.

On motion of Mr. Reavis, Micah Taul, of Talladega, was requested to act as Secretary, *pro tem*.

Senators elect from the following districts, appeared within the bar of the Senate, to-wit:

From the district composed of the
County of Mobile—T. L. Toulmin.

Counties of Baldwin, Monroe and Clarke—R. Brodpax.

" Dale and Henry—R. P. Peacock.

County of Pike—D. A. McCall.

County of Macon --R. F. Ligon.

Counties of Dallas and Wilcox--R. H. Ervin.

County of Coosa--W. Garrett.

" Randolph--W. T. Wood.

" Calhoun--T. A. Walker.

Counties of Jefferson and Shelby--M. T. Porter.

County of Tuscaloosa--R. Jemison, jr.

" Pickens--Jno. J. W. Payne.

" Franklin--Wm. M. Jackson.

Counties of Marshall and DeKalb--James Critcher.

The Senators elect were qualified and took their seats.

The following named Senators, who hold over, were present:

Messrs. Barnes, Cato, Clarke, Coleman, Coman, Davis, Groce, Hardwick, Harrison, Hill, Lewis, Moren, Reavis, Rice, of Montgomery, and Rice, of Jackson.

The Senate proceeded to the election of a President.

Mr. Jemison alone being in nomination and having received 28 votes, the whole number cast and a majority, was declared duly and constitutionally elected President for the time prescribed by the Constitution: Mr. Reavis in the chair.

On motion of Mr. Cato, the chair appointed a committee of three to wait upon Mr. Jemison and inform him of his election, and Messrs. Cato, Moren and Ligon were appointed.

Mr. Jemison was conducted to the chair, and, after returning his thanks for the honor conferred upon him, was qualified and entered upon the discharge of the duties of his office.

The Senate proceeded to the election of a secretary.

Micah Taul, of Talladega, alone being in nomination and having received 29 votes, the whole number cast and a majority, was declared duly and constitutionally elected secretary for the term prescribed by the Constitution. He was qualified and entered upon the discharge of the office.

The Senate proceeded to the election of an assistant secretary.

The following named gentlemen were placed in nomination:

John P. Morgan, of Shelby.

C. D. Wallace, of Wilcox.

Benj. F. Porter, of Butler.

Those who voted for Mr. Morgan are Messrs. President, Barnes, Cato, Clarke, Coman, Groce, Hardwick, Hill, Jackson, Ligon, Lewis, Moren, McCall, Payne, Porter, Reavis, S. F. Rice, F. Rice, Walker and Wood--20.

Those who voted for Mr. Wallace are Messrs. Brodnax, Ervin, Garrett, Peacock and Toulmin--5.

Those who voted for Mr. Porter are Messrs. Coleman, Critcher, Davis and Harrison--4.

Mr. Morgan having received a majority of the whole number of votes given, was declared duly and constitutionally elected assistant secretary for the term prescribed by the Constitution. He was qualified and entered upon the duties of his office.

The Senate proceeded to the election of a door-keeper.

Mr. E. A. Heidt, of Perry county, alone being in nomination and having received all the votes cast and a majority, was declared duly and constitutionally elected door-keeper for the term prescribed by the Constitution. He was qualified and entered upon the duties of his office.

On motion of Mr. Ligon.

Resolved, That the House of Representatives be informed that the Senate has organized by the election of R. Jemison, jr., President; Micah Taul, secretary; John P. Morgan, assistant secretary; and E. A. Heidt, door-keeper, and is now ready to proceed to business.

Message from the House by Mr. Clitherall.

House of Representatives, August 17.

Mr. President:

The House of Representatives has organized by the election of W. H. Crenshaw, Speaker; Albert Elmore, clerk; A. B. Clitherall, assistant clerk; D. McCrimmon, engrossing clerk, and M. M. Nall, door-keeper, and is now ready to proceed to business.

The House has appointed Messrs. Charlton, Bethea and Taylor, a committee on the part of the House, to act with a like committee on the part of the Senate, to wait upon the Governor, and inform him that the two houses have organized, and are ready to receive any communication he may have to make.

The Senate concurred in the resolution of the House, and appointed Messrs. Reavis, Clarke and Jackson, a committee on the part of the Senate.

On motion of Mr. Garrett.

Resolved, That the rules of the Senate at the last session be adopted for the government of the Senate until otherwise ordered.

On motion of Mr. Groce,

Resolved, That a committee of three be appointed to act with a like committee on the part of the House, to procure the attendance of such Ministers of this city as may be willing to attend, that our sessions may be opened with prayer.

Messrs. Groce, Hill and Payne, were appointed.

Mr. Barnes introduced the following preamble and joint resolutions :

Whereas, in the opinion of this General Assembly, the people and the army have lost confidence in Generals Holmes and Pemberton, and, without in the least questioning the integrity, patriotism, loyalty, and bravery of either of said Generals:

1. *Be it resolved by the Senate and House of Representatives of the State of Alabama in General Assembly convened*, That the interest of the service and the good of the cause we so dearly love, imperatively demand a change in the command of these respective Generals.

2. *Be it further resolved*, That the people of Alabama and the State hereby pledge the entire resources of the State to the last dollar, and the last man, to the successful prosecution of the war now being waged by the North for the subjugation of the Confederate States, and that we will never yield the contest until the achievement and acknowledgment of our independence as a separate people.

3. *Be it further resolved*, That the Governor of the State transmit a copy of these resolutions to the President of the Confederate States, and each of our Representatives and Senators in Congress.

Mr. S. F. Rice called for a division, and that the resolutions be voted upon seriatim.

Mr. Brodnax moved to refer them to the committee on Confederate relations when raised.

Which was lost—yeas 14, nays 15.

Those who voted in the affirmative are, Messrs. President, Brodnax, Coman, Critcher, Davis, Ervin, Garrett, Jackson, Ligon, Lewis, Moren, Payne, Porter and Toulmin—14.

Those who voted in the negative are, Messrs. Barnes, Cato, Clarke, Coleman, Groce, Hardwick, Harrison, Hill, McCall, Peacock, Reavis, S. F. Rice, F. Rice, Walker and Wood—15.

Mr. Ligon moved to postpone the further consideration of the resolutions until 10 o'clock to-morrow.

Which was lost—yeas 13, nays 16.

Those who voted in the affirmative are, Messrs. President, Brodnax, Coman, Critcher, Davis, Garrett, Jackson, Ligon, Lewis, Moren, Porter and Walker—13.

Those who voted in the negative are, Messrs. Barnes, Cato, Clarke, Coleman, Groce, Hardwick, Harrison, Hill, McCall, Payne, Peacock, Reavis, S. F. Rice, F. Rice, Toulmin and Wood—16.

Mr. Garrett moved to adjourn till 9 o'clock to-morrow morning.

Which was lost—yeas 12, nays 16.

Those who voted in the affirmative are, Messrs. President, Brodnax, Coman, Critcher, Ervin, Garrett, Jackson, Lewis, Moren, Porter, Toulmin and Wood—12.

Those who voted in the negative are, Messrs. Barnes, Cato, Clarke, Coleman, Davis, Groce, Hardwick, Harrison, Hill, McCall, Payne, Peacock, Reavis, S. F. Rice, F. Rice and Walker—16.

The first resolution was adopted—yeas 25, nays 3.

Those who voted in the affirmative are, Messrs. President, Barnes, Brodnax, Cato, Clarke, Coleman, Coman, Davis, Ervin, Garrett, Groce, Hardwick, Harrison, Hill, Jackson, McCall, Payne, Peacock, Porter, Reavis, S. F. Rice, F. Rice, Toulmin, Walker and Wood—25.

The second resolution was adopted—yeas 27, nay 1.

Those who voted in the affirmative are, Messrs. President, Barnes, Brodnax, Cato, Clarke, Coleman, Coman, Davis, Ervin, Garrett, Groce, Hardwick, Harrison, Hill, Jackson, Lewis, McCall, Payne, Peacock, Porter, Reavis, S. F. Rice, F. Rice, Toulmin, Walker and Wood—26.

Those who voted in the negative are, Messrs. Critcher—1.

The third resolution was adopted.

On motion of Mr. Garrett,

Resolved, That the President be authorized to appoint the following standing committees : on the Judiciary ; Privileges and Elections ; Propositions and Grievances ; Sixteenth Sections and Sixteenth Section Funds ; Education ; Accounts and Claims ; Agriculture ; State Printing ; Military Affairs ; State Capitol ; Internal Improvements ; Public Lands ; Banks and Banking ; Confederate Relations ; Retrenchment ; Penitentiary ; County Boundaries ; Roads, Bridges and Ferries ; Enrolled Bills ; Finance and Taxation ; Corporations ; and Insane Hospital.

Mr. Reavis introduced the following joint resolution :

Resolved by the Senate and House of Representatives of the State of Alabama in General Assembly convened, That no private or public bill shall be introduced into either house of this General Assembly, until all business connected with the public defense, prosecution of the war, and the preservation of the Confederacy shall have been disposed of.

Which the Senate refused to adopt.

Mr. Reavis, from the joint committee to wait upon the Governor, reported that the Governor would communicate with the two houses immediately.

The following message was received from the Governor by his private secretary, Mr. J. B. Taylor :

EXECUTIVE DEPARTMENT, }
 MONTGOMERY, ALA., AUGUST 17th, 1863. }

Gentlemen of the Senate and House of Representatives :

Important events, which have recently occurred, vitally affecting the highest interests of the State, have compelled me to convene the General Assembly in an extraordinary session: and, for obvious reasons, this communication will be confined to the subject of military defense: all other topics of legislation being reserved for the annual meeting of the General Assembly.

In view of the superior numbers of the enemy upon every theatre of the war, and to enable our armies, when thus confronted, to be recruited by the scattered forces of the Confederacy, the President wisely determined to call upon the respective States for relative proportions of their reserved militia, to be employed for their own local protection and defense, against raids or sudden invasions by the enemy. In accordance with this plan, the Secretary of War, under date of the 6th of June last, made a requisition upon the State of Alabama for seven thousand militia, to be organized by the 1st instant, to be employed by the President within the limits of the State, for the period of six months. This requisition was accompanied with notice that, in lieu of the militia, volunteer companies would be accepted, if organized under the Act of Congress "to provide for local defense and special service," approved 21st August, 1861. A copy of the communication from the Secretary of War is herewith submitted.

On the 16th day of June, I announced by proclamation the requisition which had been made upon the State by the President, and, to expedite the organization of troops, I ordered a complete enrollment of the militia, and a draft therefrom, on the 25th day of July, of all who were not exempted from military service by the State or Confederate laws, unless by that day the number required from the respective brigades was raised as volunteers. Before the day appointed for the draft, and on the 15th day of July, the President issued his proclamation calling out all who were liable, under the conscript law of Congress, up to the age of forty-five years. So soon as advised of the issuance of this proclamation by the President, I telegraphed the Secretary of War, to ascertain whether those liable to conscription, between the ages of forty and forty-five years, who had joined volunteer organizations for local defense, could be retained in such organizations; but before the receipt of my telegram, an order had been issued by the War Department discharging all such persons from local organizations, and directing their immediate enrollment under the conscript act.

It thus became manifest that, as the conscript law embraced all between eighteen and forty-five years of age—which class alone composed the militia of the State—there were no militia left from which to meet the requisition of the President on the State for seven thousand men for the local defense, except exempts under the State and Confederate laws, and those officers of the militia who were over the age of forty-five years, and those officers and men under that age who had been discharged from the Confederate service.

In the extension of the order for the execution of the draft, directions were given to observe the exemptions enumerated in the military code of the State, and in the Acts of Congress. This course seemed to be demanded by the necessities of both the State and Confederate governments. The officers of the Confederate government employed within the State, and who, by the military code of the State, are exempted from militia duty, could not be forcibly withdrawn from the discharge of their important functions for six months, without manifest detriment to the public service. The same remark is equally true as to those State officers who, by the code, are exempted from military duty. Besides government officers, but few classes of citizens are exempted by the military code of the State, and those on account of their occupations—such as pilots, mariners, ferrymen, millers, employees on railroads and steamboats, and of telegraph and express companies, whose services are indispensable both to the government and the people. The only private citizens exempted by the code, are ministers of the gospel, teachers, and scholars. There being no power conferred on the Governor to add to or take from the list of exemptions, they had to be recognized or disallowed as a whole, and directions were accordingly given that the exemptions named in the military code of the State should be allowed.

The exemptions from conscription, provided by Congress, were observed for the reason that they were conferred on citizens whose occupations, in the decision of Congress, were essential to enable the Confederate government to carry on the war with efficiency, and with due regard to the necessities of the people of the States. In this light, the exemptions declared may be regarded as pertaining as much to the war policy of the government, as the conscription of troops. The army in the field can be provided for, and sustained, only by the classes at home, who are employed in occupations which furnish equipments and subsistence; neither can be dispensed with while the war continues. Besides, as the exemption by Congress on account of occupation is forfeited by an abandon-

ment of the occupation, in which event the person becomes liable to immediate enrollment as a conscript, it would seem that a forcible withdrawal by the State of the citizen from his occupation, for military service for six months, might not only deprive the government of the benefits expected from the prosecution of his trade, but subject the citizen to the hazard of conscription. In either view of the question, a disregard by the State Executive of the exemption policy of the Confederate government, which is seeking to devote all the combined resources of the States for a successful prosecution of the war, would occasion antagonism between the State and Confederate governments, which might tend to embarrass both, rather than strengthen the military power of either.

While, in the execution of the draft, the exemptions declared by the military code of the State and the Acts of Congress were recognized and respected, those citizens who had been liable to conscription but had received discharges from Confederate service, by reason of substitution, were held amenable to the draft as militia of the State. How many citizens of this class there are in the State, I have no means of ascertaining with any approach to accuracy ; but it is generally believed that they number several thousand. Many of them, owing to past services rendered in the Confederate army, and other causes which have induced them to purchase substitutes, have esteemed the requisition made upon them for service in the militia as a hard demand, and are reluctant to respond ; while many others not only doubt, but deny the authority of the State to command their services as militia, or to turn them over as such to be employed by the President for the local defense of the State. While fully conceding the hardship of this obligation, in many instances, the Executive can look only to the law as the guide to his official acts, and firmly tread the path of duty, regardless of the personal convenience of the citizen. The opinions which question the liability of this class of citizens as militia, I am persuaded have sprung from a misapprehension of the constitution and laws of both the State and Confederate governments.

The *militia* is a military organization pertaining to the States. It is the army of the States ; and as an army may be commanded either by the Governors of the States respectively, or by the President of the Confederate States. The States in the exercise of their own sovereignty, give form or body to this army, and, after it is so formed or embodied, Congress may provide the mode of its organization and discipline, the States retaining the right to supply the officers. This is the compact between the States. The Confederate Constitution

confers on Congress the power "to provide for organizing, arming and disciplining the militia, and for governing such part of them as may be employed in the service of the Confederate States ; reserving to the States respectively the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress." If the Congress fail to provide for their organization and discipline, the States may organize them, as they have repeatedly done, by their own legislative enactments. But the power to organize and discipline the militia, conferred upon Congress, does not carry with it the power to declare what class of citizens shall constitute and form the body of the militia. Nor has Congress ever claimed the right to exercise such a power. It is one of the sovereign powers reserved to the States. It is, too, a legislative power, and, by the constitution of the State of Alabama, is vested in her General Assembly. The General Assembly alone can determine who shall and who shall not compose an integral part of the body of the militia of the State. Whether a citizen is or is not liable to militia duty within the limits of the State of Alabama is, therefore, a question to be decided by the law of the State, and the State law is too plain for misconstruction. The military code of the State declares that "the militia of the State of Alabama shall consist of each and every free able-bodied white male citizen resident therein, who is or shall be of the age of eighteen years and under the age of forty-five years, except those hereinafter enumerated," &c. What classes are enumerated as exempts it is needless here to repeat, but it is important to note and state, that those who may have received a release or discharge from Confederate service are not among the number enumerated as exempt. All citizens of the State, therefore, between the ages specified, who have not been withdrawn or are not claimed by a paramount law of Congress, or exempted from military service, are liable under the State law to militia duty. And it thus follows that those who have placed substitutes in the Confederate army under the conscript law of Congress, and have obtained for themselves a discharge under that law, are remitted to their original position, rights and duties as citizens of the State, and while they claim its benefit and protection, they owe to it the reciprocal duty of military service, when called out as militia for its defense.

But it is said that, conceding the liability of this class of citizens to militia duty, when called for by the Governor of Alabama, they cannot be turned over to the President for Confederate service within the limits of the State. This objec-

tion is easily answered. The constitution of the Confederate States, in the 8th section of the first article, and 12th paragraph, confers on Congress the power "To raise and support armies," and in the 15th paragraph confers the power "To provide for calling forth the militia to execute the laws of the Confederate States, suppress insurrection and repel invasions." Under these two separate and distinct grants of power, the Provisional Congress, in the first section of the "Act to provide for the public defense," approved 6th of March, 1861, enacted "That in order to provide speedily forces to repel invasion, maintain the rightful possession of the Confederate States of America in every portion of territory belonging to each State, and to secure the public tranquility and independence against threatened assault, the President be and he is hereby authorized to employ the militia, the military and naval forces of the Confederate States," &c. The second section of the Act provides that "The militia, when called into service by virtue of this Act or any other Act, if, in the opinion of the President, the public interest requires, may be compelled to serve for a term not exceeding six months after they shall be mustered into service, unless sooner discharged." Under this law of Congress, the President has made the requisition on the State of Alabama for seven thousand militia, for six months service, to repel an invasion of the State. It will thus be seen that the President has the power to employ the militia of Alabama for the time and for the purpose specified in the call made by him on the State.

Under the power "to raise and support armies" Congress passed the conscript law, which applied to all residents in the Confederate States who fell within its provisions, and it took away all those citizens embraced in it who were, by the State law, embodied in the militia. But when the claim of the Confederate government has been met by substitution, and the citizen, who has been temporarily withdrawn from the militia, is released and discharged, he is restored to his original status in the militia, and as such militiaman is as much liable to service on the call of the President for the militia, under the law of Congress, as he is liable to service on the order of the Governor under the law of the State.

Owing to the remoteness of many of the militia officers from the Capitol, the number of vacancies in the regimental and company organizations, and the apparent want of familiarity with the military code, and the true import of military orders, in connection with the irregularities and delays of mail communication, but few meagre returns, in response to the orders for the enrollment and draft, have reached the office of the

Adjutant General. It is not yet known how many have volunteered, nor the number who have been drafted. Sufficient information, however, has been received to show that a very small proportion of the number called for by the President are ready to respond. How the remainder shall be raised is a question submitted for your determination, though it is difficult to conceive how it can be done except by a re-organization and enlargement of the militia of the State.

In my message to the extra session of the General Assembly, convened in October last, I called their attention to the disorganized condition of the militia, and urged additional legislation, to give strength and efficiency to the military power of the State. In that communication I stated that—

“By the military code of the State it is provided that ‘the militia of the State of Alabama shall consist of each and every free able-bodied white male citizen resident therein, who is or shall be of the age of eighteen years, and under the age of forty-five years.’ The Conscrip Act, of sixteenth of April, calls for all of this class below the age of thirty-five years, and the recent extension of the Act embraces all the remainder above that age. Thus, the whole body of the State militia is absorbed, and we are left with a naked organization merely, and with militia officers without men to command. Emergencies may occur which will require the active service in the field of every man in the State capable of bearing arms. There are a number within the State who have furnished substitutes in the Confederate army. This does not relieve them from their obligation to render military service to the State. There may be others who have been omitted by the enrolling officers of the Confederate States, or who have evaded the just requirements of that government. Persons of foreign birth, domiciled within the State, who have been protected by its laws in their persons and property, who have amassed wealth and made investments in real and personal estate, or who have participated in elections for the administration of State and municipal affairs, are, by the laws of nations, amenable to military service for the local defense. All these may be embraced in the State militia. I therefore submit that a reorganization of the militia of the State is indispensable, and I recommend that the military code be so amended as to embrace, as militia, all able-bodied male citizens of the State above the age of sixteen and under the age of sixty years, who may may not be actually engaged in the Confederate service. I commend also to your consideration, the propriety of encouraging the formation of volunteer companies, both of infantry and cavalry, and such additional legislation as, in your wisdom, may be deemed best calculated to strengthen the military arm of the State.”

The General Assembly, neither during the extra nor the succeeding regular session, matured any plan for the improvement of the militia, or to increase the military power of the Governor. The present condition of the State, daily exposed in apparent helplessness for the want of an efficient military organization for its own protection, only confirms me in the conviction entertained as to the propriety of the recommendations heretofore submitted, and I now again renew them, and respectfully urge them upon your consideration.

By the constitution of the State, the Governor is made the commander-in-chief of the militia, and is vested with "power to call forth the militia to execute the laws of the State, to suppress insurrections and repel invasions." How can he enforce the laws of the State, if resisted, or repress insurrections, or repel invasions, without an organized force? By the military code, the exempts, few in number and scattered over the entire State, are absolutely relieved of all military duty "except in cases of imminent danger, insurrection or invasion." The Governor has no power to command even these persons for the purpose of enforcing the laws of the State; and if citizens who have been discharged from Confederate service are adjudged not liable to militia duty, then there is no class of citizens or military force at the command of the Governor for this purpose. But if both these classes are made liable to militia duty, their number is wholly inadequate to the necessities of the State. Besides a want of men in the ranks, there is as great a want of efficient officers to command the men. The General Assembly, at its last session, by joint resolution, declared the officers of the militia liable to enrollment as conscripts, if within the conscript age and not otherwise exempted. The withdrawal of these officers for service in the Confederate army has occasioned so many vacancies, that it has been found impossible, in many instances, to secure the execution of the simplest military order, or to even extend it to the proper person. In view, therefore, of the utter inefficiency of the militia, and the absolute necessity for its immediate reorganization, not only for the protection of the State against internal violence and disturbance, but against the threatened invasions and depredations of an unscrupulous and savage foe, I invoke the wisdom and unfaltering patriotism of the General Assembly to combine the remaining military power of the State, and devote it to the great and paramount object of the public defense.

The enumeration which embraced in the militia those between the ages of eighteen and forty-five years, was adopted for convenience of classification, and because such a classifica-

tion was deemed fully adequate to all the probable demands of the State. But the obligation to render military service is as binding upon the citizen who claims the protection of the State, as is the obligation to contribute of his means for its defense. The State has a right to command both. All that the citizen can ask, in any event, is, that the burden shall be distributed upon a basis of equality and justice. The present emergency demands the services of every man in the State who is able to bear arms. The fact of age does not decide the question of physical ability. Able-bodied men are needed, and such as these should be combined in the militia, irrespective of age; and if physically disabled or incapacitated for service, should be omitted, irrespective of age. This is a just rule, and if justly applied will meet the approval of every right minded man. And if every man in the State of Alabama, capable of bearing arms, and who is not now enlisted in the public defense, was embodied in military organizations, duly organized and officered, the State would present an insuperable barrier against incursions and raids, which under other circumstances may bring destruction and ruin to the homes of thousands of her people.

In providing a plan of reorganization, such public officers and classes of citizens as, in the opinion of the General Assembly, should be relieved of full duty or more enlarged service, might be specially exempted on condition that they unite in volunteer organizations for the local defense. And this rule might also with propriety be applied to those classes within the State, other than officers of the Confederate government, who are exempted from Confederate service under the laws of Congress. Many of these are accumulating wealth by the employments in which they are engaged, and while devoting their energies to their daily pursuits, are hourly dependent upon the State for their security and protection. Surely if not compatible with the public interest to remove them for months from their accustomed employments, they can be embodied for the defense of their own locality. The exemption conferred by Congress does not withdraw them absolutely from the militia, and if, in the opinion of the General Assembly, their refusal to join volunteer organizations for the purpose of local defense—a matter in which they are personally and vitally interested—would justify the course, they can and should be enrolled and compelled to service in the body of the militia.

The limitation in the code which embraces citizens of the State only, should be removed, and every resident of the State who is protected by its laws in his business pursuits and property, should be likewise enrolled for the defense of the State.

It is my duty to call the attention of the General Assembly to the offense of straggling and desertion from the army. While their gallant comrades are confronting the enemy, and standing as a wall of defiance against his further advances there are those whose love of ease, or weak resolution, or infidelity to the cause, has induced them to shrink back, and hide away, in order to avoid the service which they owe to their country. These men should be taught, by public opinion and solemn legislative declaration, the heinousness of their offense, and the severe condemnation which such conduct deserves. The President of the Confederate States has recently proclaimed a full and free pardon to all such absentees from the army, on condition of a speedy return to their posts; and it will be well if the General Assembly add their potential sanction and influence to secure a ready and universal compliance with this humane offer by the Commander-in-Chief. The home population should be admonished to encourage, in every possible way, an acceptance of the pardon and a prompt return of the soldier; and those, if any there be, whose misguided sympathies and disloyal purposes induce them to encourage disobedience to military law, and to harbor and maintain deserters, should, by State enactment, be subjected to criminal prosecution and exemplary punishment. Executive as well as military officers of the State, should be charged with the duty of promptly arresting and reporting stragglers and deserters, while the judicial officers should be charged with a rigid enforcement of the penalties against their aiders and abettors.

The painful duty is devolved upon me to announce the untimely decease of the Hon. William L. Yancey, late a Senator from the State of Alabama, in the Congress of the Confederate States. This distinguished orator and statesman was for many years identified with every important though fruitless effort to check the aggressions of the United States government upon the reserved rights of the States; and he was a leading member of the State Convention which, in the exercise of its sovereign power, withdrew the State of Alabama from the old Union. He has been cut down in the full strength of his great intellect, and his proud spirit has departed before his eyes were permitted to behold the final success and grandeur of that new Confederacy which he so ardently desired to see, and for which he had struggled with masterly energy and idolatrous devotion. The vacancy in the State representation in the Confederate Senate, occasioned by his death, remains to be filled by the General Assembly.

The present condition of the State presents a subject of momentous concern, and all the wisdom, energy and patriotic zeal of the General Assembly, are invoked to secure its protection against the horrors and desolations of war; with which it is now most seriously threatened. Since the last session, much has been accomplished by the construction of fortifications and other defensive works, but much yet remains to be done, and no means at command should be withheld or neglected, which time and opportunity offer, to ensure successful results. It has not only been my duty, but my earnest desire, to co-operate with the Confederate authorities in every purpose and undertaking looking to this end, and whether men or material resources have been called for, in aid of the common cause, Alabama has ever cheerfully and promptly responded to the uttermost of every demand which has been made upon her; and I trust and believe that her patriotic people will not fail thus to respond, so long as our unnatural foe shall persevere in his unholy crusade for the overthrow and ruin of these Confederate States. In the vicissitudes of war, disasters have befallen our armies, and the enemy, flushed with recent successes, is actively preparing and confidently boasting his purpose and ability to achieve other and greater triumphs. Alabama will be invaded, and, in all probability, before many weeks the guns of the enemy will be heard upon her borders, and her people be summoned for the defense of their own sacred homes. Instead of alarm and trepidation, or of false security and infidelity to their country, let them nerve their resolution for an undying resistance against that abolition despotism which has decreed the emancipation of slaves, the confiscation of lands, and the subjugation of the free inhabitants of these sovereign States and their heirs forever. God in His just providence will not permit such an awful calamity to come upon us, if, in His fear, and humbly invoking His divine favor, we gather the resources He has placed at our command, and unreservedly consecrate them to the defense of our bleeding country.

JNO. GILL SHORTER.

Which was read, and, on motion of Mr. Ligon, was laid on the table, and 500 copies ordered to be printed.

Senate then adjourned till 9 o'clock to-morrow morning.

TUESDAY, AUGUST 18, 1863.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Hill, of the Senate.

Mr. Beeson, senator elect from Blount and St. Clair, appeared within the bar of the Senate, was qualified, and took his seat.

Mr. President laid before the Senate the following standing committees :

Judiciary—Messrs. Rice, of Montgomery, Reavis, Porter, Clarke, Walker, Lewis, Ligon, Barnes, Davis and Cato.

Banks and Banking—Messrs. Harrison, Clarke, Wood, Barnes, Hammond, Toulmin, Lewis, Ervin, Garrett and Payne.

Confederate Relations—Messrs. Ligon, Walker, Jackson, Cato, Matthews, Stewart, McCall and Brodnax.

Propositions and Grievances—Messrs. Hammond, Brodnax, Wood, Peacock, Hardwick and McCall.

Sixteenth Section—Messrs. Reavis, Coman, Davis, Rice, of Jackson, Hill, Coleman and Brodnax.

Education—Messrs. Payne, Garrett, Clarke, Matthews and Moren.

Retrenchment—Messrs. Groce, Peacock, Barnes, Coman and Beeson.

Accounts and Claims—Messrs. Moren, Hammond, Jackson, Lewis, Toulmin, Matthews and Ervin.

Penitentiary—Messrs. Ervin, Barnes, Coman, Groce and Critcher.

Agriculture—Messrs. Matthews, Rice, of Jackson, Jackson, Hardwick and Beeson.

County Boundaries—Messrs. Hill, Barnes, Davis, Critcher and Brodnax.

State Printing—Messrs. Garrett, Stewart, Rice, of Montgomery, Beeson and Critcher.

Roads, Bridges and Ferries—Messrs. Wood, Matthews, Hammond, Davis, Hill and Critcher.

Military—Messrs. Toulmin, Clarke, Ligon, Jackson, Reavis, F. Rice and Walker.

Enrolled Bills—Messrs. Porter, Coman, Coleman, Payne, Ligon, Hardwick and McCall.

State Capitol—Messrs. Coleman, S. F. Rice, Barnes, Walker, Ligon and Peacock.

Corporations—Messrs. Barnes, Toulmin, Porter, Coman, Lewis, Stewart, Hill and Wood.

Finance and Taxation—Messrs. Clarke, Reavis, Coman, F. Rice, Payne, Harrison and Ervin.

Internal Improvements—Messrs. Walker, Toulmin, Lewis, Garrett, Moren, Coman and Beeson.

Privileges and Elections—Messrs. Stewart, Matthews, Barnes, Porter and Hill.

Public Lands—Messrs. Cato, Reavis, F. Rice, Brodnax, Payne, Groce and Beeson.

Insane Hospital—Messrs. Moren, Reavis, Toulmin, Harrison, Coleman, S. F. Rice and Peacock.

CALL OF THE DISTRICTS.

Bills were introduced—

By Mr. Moren, to amend section 1748 of the Code as to Bibb county.

By Mr. Jemison, to provide for taking the testimony of plaintiff in attachment cases.

By Mr. Reavis, to amend section 634 of the Code.

Which bills were severally read twice, under a suspension of the constitutional rule, and referred to the judiciary committee.

Mr. Jemison presented a petition from Messrs. Nicholson & Whitefield, trustees of the Insane Hospital, which was referred to the committee on accounts and claims.

Message from the House by Mr. Clitherall :

Mr. President :

The House of Representatives has adopted the following resolutions, in which the concurrence of the Senate is requested:

Resolved, The Senate concurring, that the two houses will observe Friday, the 21st instant, as a day of fasting and prayer, in accordance with the proclamation of President Davis ; and that a committee of three be appointed, to act in conjunction with a like committee on the part of the Senate, in procuring the services of a Minister of the Gospel to conduct religious exercises in the hall of the House on that day.

Messrs. Chambers, Bethea and Ogbourne, compose said House committee.

Resolved, That a committee of two be appointed, to act with a like committee on the part of the Senate, to wait on the resident Clergymen of the city and respectfully solicit their services to open the session each day by prayer.

Messrs. Parker and Kennon compose said House committee.

Senate concurred in said resolutions of the House, and Messrs. Hill, Rice, of Montgomery, and Harrison, were appointed a committee under the first resolution, and Messrs. Groce and Coleman were appointed under the second.

Mr. Garrett moved to re-consider the vote adopting the first resolution offered by Mr. Barnes on yesterday.

Which was lost—yeas 7, nays 24.

Those who voted in the affirmative are, Messrs. Beeson, Co-man, Critcher, Garrett, Lewis, Moren and Reavis—7.

Those who voted in the negative are, Messrs. President, Barnes, Brodnax, Cato, Clarke, Coleman, Davis, Ervin, Groce, Hammond, Hardwick, Harrison, Hill, Jackson, McCall, Payne, Peacock, Porter, S. F. Rice, F. Rice, Taulmin, Walker and Wood—24.

Mr. Barnes introduced a bill to declare who shall constitute the militia of Alabama.

Which was read twice, and referred to the military committee.

On motion of Mr. Walker,

Resolved, That the committee on the military be instructed to inquire into the expediency of extending the military age from 17 to 50, to be organized into companies and regiments, for State defense, and confined to State defense within the limits of Alabama, and subject to be called into service by the Governor for the defense of any section of the State.

Also, to further extend the military age from 50 to 60, to be organized into companies and regiments for home defense, and confined to the counties of their residence.

On motion of Mr. Coleman,

Resolved, That the committee on the military be requested to inquire into the expediency of punishing those who harbor deserters, or who may encourage desertion, and report by bill or otherwise.

Mr. Jackson offered the following resolution, which was referred to the judiciary committee :

Resolved, That the two houses convene in the hall of the House on Saturday, the 22nd instant, for the purpose of electing a Senator to the Congress of the Confederate States, to fill the vacancy occasioned by the death of the late Hon. William L. Yancey.

Mr. Garrett introduced the following joint resolutions :

1. *Be it Resolved by the Senate and House of Representatives of the State of Alabama, in General Assembly convened*, That our confidence in the patriotism and ability of President Davis is unabated, and the vicissitudes of war and the reverses of war cannot shake it; and we hereby tender to him our hearty thanks for his great labors in the cause of our common country, together with the assurance of our continued cordial support to the extent of our resources.

2. *Resolved further*, That, in the judgment of this Legislature, it is the duty of Congress to increase the pay of our gallant soldiers (especially of the privates and non-commissioned officers), that they may be able to provide for the wants of their wives and children; and our Senators in Congress are instructed, and our Representatives are requested to use their utmost endeavors to secure this result at the earliest day possible.

3. *Be it further resolved*, That, in the judgment of this Legislature, all our Confederate Treasury notes should be placed on the same footing, and that Congress should provide, by

law, for the funding of all the notes which have been heretofore issued, or which may hereafter be issued by its authority, at a uniform rate of interest; and our Senators are hereby instructed, and our Representatives are requested, to urge the repeal of all laws creating a distinction in said currency, either as to the rate of interest or the right to fund it.

4. *Be it further Resolved*, That the Governor of the State communicate a copy of these Resolutions to his Excellency, Jefferson Davis, President of the Confederate States, and to each of our Senators and Representatives in Congress.

Which resolutions were referred to a select committee composed of Messrs. Clarke, Garrett, Barnes, Reavis and Ligon.

Message from the House by Mr. Clitherall:

Mr. President:

The House has adopted the following resolution:

Resolved, That with the concurrence of the Senate, the committees on the military of the two Houses, act as a joint committee on military affairs, with leave to sit during the sessions of their respective houses; and that the result of their deliberations be simultaneously reported to the House and Senate.

Senate concurred in said resolution.

Senate adjourned till 15 minutes past 9 o'clock to-morrow morning.

WEDNESDAY, AUGUST 19, 1863.

Senate met pursuant to adjournment.

Prayer by the Rev'd Mr. Tichenor of this city.

CALL OF THE DISTRICTS.

Bills were introduced--

By Mr. Toulmin, to change the boundry line between the counties of Mobile and Washington, with a petition of Gilbert C. Hollinger and others.

Which was read twice and referred to the committee on county boundaries.

By Mr. Rice of Montgomery, to amend an act to amend the revenue laws of the State.

Which was read twice and referred to the committee on finance and taxation.

By Mr. Reavis, to provide for prosecuting and defending suits of persons of unsound mind.

Also, to prevent the depreciation of the paper currency of the State and of the Confederate States.

By Mr. Walker to amend the act to prohibit the distillation of grain, &c.

Which bills were severally read twice and referred to the judiciary committee.

Mr. President (Mr. Toulmin in the chair) presented the petition of certain officers of Tuscaloosa county, which was referred to the judiciary committee.

By Mr. Coleman, a bill to amend an act to authorise the commissioners' courts of Fayette and Morgan counties to levy a tax on dogs.

Which was read three times forthwith and passed.

By Mr. Critcher, to change the mode of payment for feeding State prisoners, &c.

Which was read twice and referred to the judiciary committee.

Also, to provide pay for the soldiers from this State.

Which was read twice and referred to the military committee.

On motion of Mr. Garrett,

Resolved, That the committee on the military, be instructed, in framing a bill to reorganize the militia, to inquire into the expediency of discriminating above the age of 45 in favor of such men as have sons gone into the service, to the number of two, or upwards, so as to provide that such shall not be called out until the list of those below that number sent is exhausted.

On motion of Mr. Garrett,

Resolved, That the committee on finance and taxation be instructed to inquire whether any or what legislation can be had to arrest the depreciating tendency of Confederate money, and restore it to a sound standard, with leave to report by bill or otherwise.

On motion of Mr. Toulmin, the communication from the Secretary of War accompanying the message of the Governor, was referred to the military committee.

Mr. President laid before the Senate a pamphlet entitled "Cato, on Constitutional Money and Legal Tender."

Which was referred to the committee on finance and taxation.

Mr. Barnes, from the judiciary committee, reported adverse to the bill to provide for taking testimony of plaintiff in attachment cases; which report was concurred in.

Mr. Rice, of Montgomery, from the same committee to whom was referred the resolution proposing that on Saturday the 22nd inst., the two Houses go into the election of a Confederate States Senator in the place of W. L. Yancey, deceased, made the following report:

The committee on judiciary, to which was referred the resolution proposing that on Saturday the 22nd of August, 1863, the two Houses of the General Assembly of Alabama, go into the election of a Senator to the Congress of the Confederate States, to fill the vacancy occasioned by the death of the late Hon. Wm. L. Yancey, has instructed me to make the following report :

The office of Senator in the Congress of the Confederate States, was created by the constitution of the Confederate States, which is the supreme law of the land. That constitution declares that "the times, places and manner of holding elections for Senators" * * "shall be prescribed in each State by the Legislature thereof, subject to the provisions of this constitution." It further provides that such Senators shall be chosen by the Legislature of each State and, when chosen for the full constitutional term of six years, must be chosen "at the *regular Session* next immediately preceding the commencement of the term of service," but when vacancies happen by resignation or otherwise, during the recess of the Legislature, the Executive of the State may make temporary appointments until "*the next meeting*" of the Legislature which shall *then* fill such vacancies."

If the present "meeting" of the Legislature, be the meeting "*next*" after the vacancy which happened by the death of the Hon. Wm. L. Yancey during the recess of the Legislature, it is obviously "the meeting" expressly authorized by the constitution to fill that vacancy.

As it is a well known fact, that this is "*the meeting*" of the Legislature "*next*" after the vacancy above referred to, the provisions of the constitution above referred to, impel the committee to the conclusion, that the Legislature has authority, at this session, though it is an extra session, to fill the aforementioned vacancy.

SAM'L F. RICE, *Chairman.*

August 19, 1863.

Which report was concurred in, and

On motion of Mr. Walker, said resolution was adopted, and ordered forthwith to the House.

Mr. Reavis, from same committee, reported favorably to the bill to amend section 1748 of the Code so far as relates to Bibb county.

Which bill was read a third time and passed.

Also, favorably to the bill to amend section 634 of the Code.

Which was read a third time and passed.

This caption was amended to read—To authorize circuit

judges to hold special terms of the Circuit Court in certain cases.

On motion of Mr. Groce, the vote by which the bill to provide pay for the soldiers from the State of Alabama was referred to the judiciary committee, was re-considered, and the bill was referred to the committee on finance and taxation.

Message from the House by Mr. Clitherall :

Mr. President :

The House has adopted joint resolutions expressing the confidence of the General Assembly in President Davis, and in favor of increasing the pay of non-commissioned officers and privates in the Confederate States army.

Which resolutions were referred to a select committee of five, raised yesterday, of which Mr. Clarke is chairman.

Senate then adjourned till 15 minutes past 9 o'clock to-morrow morning.

THURSDAY, AUGUST 20, 1863.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. J. C. Davis, of this city.

CALL OF THE DISTRICTS.

Bills were introduced—

By Mr. Rice, of Montgomery, to amend section 1934 of the Code.

By Mr. Reavis, supplementary to "an act to authorize the Confederate States to purchase and hold, in Alabama, a site for rolling mills, foundry, &c.," approved November 17, 1862.

Which were severally read twice, and referred to the judiciary committee.

By Mr. Garrett, joint resolutions providing for the purchase of stationery and fuel.

By Mr. Critcher, to revise and amend an act, approved November 12, 1862, appropriating \$2,000,000 for the benefit of indigent families of soldiers, &c.

Which bills were severally read twice, and referred to the committee on finance and taxation.

REPORTS FROM COMMITTEES :

Mr. Moren, from the committee on accounts and claims, to which was referred the petition of A. L. Nicholson and H. S. Whitefield, reported a bill for the relief of William B. Robinson, of Tuscaloosa.

Which was read three times forthwith and passed.

Mr. Hill, from the committee on county boundaries, reported favorably to the bill to change the boundary line between Mobile and Washington counties.

Which bill was read three times forthwith and passed.

Also, from the joint committee, reported that the services of the Rev. Mr. I. T. Tichenor, Pastor of the 1st Baptist Church, in this city, had been secured to officiate in the hall of the House, on Friday next, the 21st instant.

Which report was concurred in.

Mr. Harrison offered the following resolution :

Resolved, That the Senate deem it inexpedient, at this Called Session, to legislate on local or private business.

Mr. Barnes offered the following as a substitute :

Resolved (the House of Representatives concurring), That the two Houses of this General Assembly adjourn, *sine die*, as soon as the legislation for the military defense of the State shall be finished.

Which substitute was adopted and then the resolution was adopted.

On motion of Mr Davis,

Resolved, That the judiciary committee be instructed to inquire into the legality of tax assessors assessing taxes on slaves captured and taken off by the enemy, and, also, on slaves which have run away and gone to the enemy, with leave to report by bill or otherwise.

Mr. Cato, from the judiciary committee, reported favorably to the bill to amend section 1934 of the Code.

Which was read a third time and passed.

Mr. Porter, from the same committee reported adversely to the bill to change the mode of payment for feeding State prisoners,

Which was concurred in.

Mr. Lewis, from the same committee, reported favorably to the bill supplementary to an act to authorize the Confederate States to purchase and hold, in Alabama, a site for rolling mills, &c.

Which bill was read a third time and passed.

Mr. Reavis, from the same committee, reported favorably to the bill to prevent the depreciation of the paper currency of this State, and of the Confederate States, with amendments.

Which were adopted.

Mr. Reavis moved to amend, by striking out the 1st section and inserting another, as section 1.

Also, moved to amend by inserting others, as sections 2 and 3.

All of which were adopted.

Mr. Rice, of Montgomery, moved to strike out of the original bill, section 2, in the 7th line, the words "which was contracted on, or since, the 1st day of January, 1862."

Which was carried—yeas 23, nays 7.

Those who voted in the affirmative are, Messrs. Brodnax, Cato, Clarke, Coman, Critcher, Davis, Ervin, Groce, Hardwick, Harrison, Hill, Jackson, Moren, McCall, Payne, Peacock, Porter, Reavis, Rice, of Montgomery, Rice, of Jackson, Toulmin, Walker and Wood—23.

Those who voted in the negative are, Messrs. President, Barnes, Beeson, Garrett, Hammond, Ligon and Lewis—7.

Mr. Barnes moved to amend by an additional section, as follows :

Section —, Be it further enacted, That this act shall not take effect until the other States of the Confederacy shall pass similar laws in effect.

On motion of Mr Rice, of Montgomery, said amendment was laid on the table—yeas 17, nays 13.

Those who voted in the affirmative are, Messrs. President, Brodnax, Cato, Davis, Ervin, Hardwick, Harrison, Hill, McCall, Payne, Peacock, Reavis, Rice, of Montgomery, Rice, of Jackson, Toulmin, Walker and Wood—17.

Those who voted in the negative are, Messrs. Barnes, Beeson, Clarke, Coman, Critcher, Garrett, Groce, Hammond, Jackson, Ligon, Lewis, Moren and Porter—13.

Mr. Rice, of Montgomery, moved an additional section as number 3, and to change the number of the succeeding sections.

Which was carried.

Mr. Ligon moved to recommit the bill.

Which was lost.

Mr. Reavis moved to suspend the further consideration of the bill, to allow the introduction of bills.

Which was carried. Whereupon,

Mr. Reavis introduced a bill for the relief of the indigent families of soldiers in Washington county.

Which was read three times, forthwith, and passed.

Mr. Rice of Montgomery, presented the memorial of G. A. Ulrich, of Tallapoosa county.

Which was referred to the committee on finance and taxation.

Senate resumed the consideration of the bill to prevent the depreciation of the currency.

Bill was read a third time and passed.

Mr. Garrett moved that, when the Senate adjourn, it adjourn to meet Saturday morning, 9 o'clock.

Which was carried.

Mr. Jemison moved that the Senate do now adjourn.

Which was carried—yeas 17, nays 13.

Those who voted in the affirmative are, Messrs. President, Barnes, Beeson, Brodnax, Coman, Critcher, Ervin, Garrett, Groce, Hammond, Hill, Ligon, Moren, McCall, Porter, Toulmin, and Wood—17.

Those who voted in the negative are, Messrs. Cato, Clarke, Davis, Hardwick, Harrison, Jackson, Lewis, Payne, Peacock, Reavis, Rice, of Montgomery, Rice, of Jackson, and Walker—13.

SATURDAY, AUGUST 22, 1863.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Hill, of the Senate.

CALL OF THE DISTRICTS.

Bills were introduced—

By Mr. Rice, of Montgomery, to amend an act to provide for the sale of lands purchased by the State at tax sales, and which have not been redeemed, under section 469 of the Code.

By Mr. Reavis, to regulate the payment of taxes in certain cases.

Which bills were severally read twice and referred to the judiciary committee.

By Mr. Porter, to provide spinning or cotton and wool cards.

Which was read twice and referred to the committee on propositions and grievances.

By Mr. Barnes, to authorize the Court of Probate of Chambers county to grant letters of administration upon the estate of James M. Kennedy, deceased.

By Mr. Brodnax, to authorize M. McCorvey, judge of probate of Monroe county, to act as such in the settlement of the estate of H. O. Abney, deceased.

By Mr. Garrett, to repeal that portion of the revenue laws which requires tax collectors to furnish to tax payers a schedule of the property upon which tax is paid.

Which bills were read three times forthwith and passed, and ordered forthwith to the House of Representatives.

Mr. Davis, from the judiciary committee reported favorably to the bill to provide for prosecuting and defending suits for persons of unsound mind.

Which was read a third time and passed.

On motion of Mr. Jackson, the vote was reconsidered ordering the bill to prevent the depreciation of the currency to a third reading.

On motion of Mr Reavis, the said bill was considered section by section.

The 1st, 2d, 3d and 4th sections were adopted.

Mr. Rice, of Montgomery, moved to strike out the word "considered" in the 4th line of section 5, and insert in lieu thereof the words "produced and offered."

Which was carried—yeas 22, nays 7.

Those who voted in the affirmative are, Messrs. President, Brodnax, Cato, Clarke, Critcher, Ervin, Groce, Hardwick, Hill, Jackson, Ligon, Moren, McCall, Payne, Peacock, Porter, Reavis, Rice, of Montgomery, Rice, of Jackson, Toulmin, Walker and Wood—22.

Those who voted in the negative are, Messrs. Barnes, Beeson, Coman, Davis, Hammond and Lewis—7.

Mr Coleman moved to add :

Provided, that this act shall not apply to any debt, the consideration of which was gold or other coin actually lent.

Which motion was lost.

Also, moved to amend by adding :

Provided, that this section shall not apply to any debt due where the consideration of the debt was or shall be gold or silver actually lent, and the contract expressly stipulates on its face that it shall be paid in gold or silver.

Which motion was lost.

Message from the House by Mr. Clitherall :

Mr. President :

The House has originated and passed bills—

For the relief of the gas light company of Selma and other gas companies.

To increase the fees of jailors for feeding prisoners.

To prevent the distillation of molasses and sugar.

And passed Senate bill—

To repeal an act to authorize the commissioners' court of Fayette and Morgan counties to levy a tax on dogs.

Also, adopted a substitute for the Senate joint resolutions in relation to Generals Holmes and Pemberton, &c., which as amended were adopted unanimously.

The House concurs in the Senate resolution proposing to go into the election of Confederate States Senator to-day at 12 M.

The House has resolved, the Senate concurring, that the two Houses will, at the same time, elect a Chancellor for the middle division.

On motion of Mr. President (Mr. Walker in the chair) the further consideration of the currency bill was suspended for

the purpose of considering the resolution of the House to go into the election of Chancellor.

Mr. Barnes moved to amend, by striking out "to-day at 12, M.," and inserting "Wednesday next at 12, M."

Which was adopted, and the resolution as amended was adopted.

The Senate resumed the consideration of the currency bill.

Mr. Coleman moved to amend, by adding to section 5: provided that this section shall not embrace cases where the debtor resides in a State which has not or shall not pass a law similar to this law.

Which was lost—yeas 12, nays 18.

Those who voted in the affirmative are, Messrs. President, Cato, Coleman, Coman, Hammond, Hill, Ligon, Payne, Reavis, Rice, of Montgomery, Toulmin and Walker—12.

Those who voted in the negative are, Messrs. Barnes, Beeson, Brodnax, Clarke, Critcher, Davis, Ervin, Garrett, Groce, Hardwick, Jackson, Lewis, Moren, McCall, Peacock, Porter, Rice, of Jackson, and Wood—18.

On motion of Mr. Ligon, the last clause in the same section was stricken out.

Mr. President (Mr. Walker in the chair) moved to amend, by inserting after the word "trustee" the words "or attorney."

Which was lost.

The hour of 12, M., having arrived, the Senate was invited into the hall of the House for the purpose of electing a Confederate States Senator.

The Senate repaired to the hall of the House; whereupon, the two Houses, in joint convention, proceeded to said election to fill the unexpired term of the late Hon. W. L. Yancey.

Mr. Bethea placed in nomination the name of Robert Jemison, jr., of Tuscaloosa.

Mr. Modawell placed in nomination, the name of John A. Winston, of Mobile.

Those who voted for Mr. Jemison are, Messrs. Barnes, Cato, Clarke, Coleman, Coman, Critcher, Davis, Ervin, Garrett, Groce, Hammond, Hardwick, Hill, Jackson, Ligon, Lewis, Moren, McCall, Payne, Peacock, Porter, Reavis, S. F. Rice, F. Rice, Toulmin, Walker and Wood of the Senate; and Messrs. Speaker, Ashurst, Atkinson, Barron, Beard, Bethea, Bishop, Brooks, Bryan, Bryers, Brown, Chambers, Chapman, Charlton, Cooper, Cobb, Clarke, Chisolm, J. W. Davis, M. L. Davis, Dent, Donnell, Ellis, Fannin, Franklin, Foster, Gardner, Graves, Gibson, Hollis, Holley, Howard, Howell, Jones, J. Keenan, H. I. M. Kennon, Kilpatrick, Lawler, Leeper, Lewis, Magee, May, Mitchell, J. Moore, J. G. Moore, Morrow, Moulton, McAlexander,

McCain, McInnis, McClelland, McLemore, Malone, Nisbet, Ogbourne, C. A. Parker, E. S. C. Parker, Parsons, Robeson, Scruggs, Seay, Sims, Sibley, Sykes, Taylor, Vansandt, Vincent, West and Young, of the House—97.

Those who voted for Mr. Winston are, Messrs. Brodnax of the Senate, and Messrs. G. W. Ashe, Bell, Dawson, Evans, Gafford, Hames, Manasco, Modawell, Price, Read, and Ryan of the House—12.

Mr. Williams voted for Mr. John Cochran, of Barbour county.

Mr. Jemison having received a majority of the whole number of votes cast, was declared by Mr. Speaker to have been duly and constitutionally elected Confederate States Senator to fill the unexpired term of the late Hon. W. L. Yancey.

The Senate then withdrew to its chamber and resumed the consideration of the currency bill.

The Senate refused to adopt the 5th section—yeas 9, nays 20.

Those who voted in the affirmative are, Messrs. Brodnax, Critcher, Hardwick, Hill, Jackson, Payne, Reavis, Rice, of Montgomery, and Rice, of Jackson—9.

Those who voted in the negative are, Messrs. Barnes, Beeson, Cato, Clarke, Coleman, Coman, Davis, Ervin, Garrett, Groce, Hammond, Ligon, Lewis, Moren, McCall, Peacock, Porter, Toulmin, Walker and Wood—20.

Section 6 was adopted, and the bill read a third time and passed.

The House messages were then taken up.

The substitute for the Senate joint resolutions in relation to Generals Holmes and Pemberton were referred to the select committee of five of which Mr. Clarke is chairman.

House bill to increase the fees of jailors for feeding prisoners, was read twice.

Mr. Toulmin moved to add after the words "one dollar" the words "and twenty-five cents."

Which was carried.

Also, to amend by striking out "seventy-five cents," where they occur, and inserting "one dollar."

Mr. Critcher moved "\$1 25."

Which was lost, and Mr. Toulmin's motion was carried.

The bill was read a third time and passed.

The Senate concurred in the amendment of the House to the bill to repeal an act to authorize the commissioners' courts of Fayette and Morgan counties to levy a tax on dogs.

House bill for the relief of the gas light company of Selma and other gas companies, was read twice and referred to the judiciary committee.

Mr. Reavis, presented a memorial from sundry citizens of Sumter county.

Also, the following resolution :

Resolved, That the judiciary committee be instructed to inquire what change, if any, in the laws, forbidding slaves to hire their own time, and trading with slaves, is necessary ; and what legislation, if any, is necessary to prevent slaves and free negroes from trading and speculating in articles of prime necessity, or other articles, and to report by bill or otherwise.

Which was adopted, and the memorial on the subject referred to the judiciary committee.

Senate then adjourned until 5, P. M.

AFTERNOON SESSION.

Senate met pursuant to adjournment.

Mr. President stated that he was authorized to say that the committee on the military would not be able to make a report this evening.

Whereupon the Senate adjourned till 9 o'clock Monday morning.

MONDAY, AUGUST 24, 1863.

Senate met pursuant to adjournment.

Prayer by the Rev. **Mr. Ely**.

Mr. President tendered his resignation as President of the Senate, and left the Chair.

On motion of **Mr. Hill**, **Mr. Jackson** was called to the Chair.

When the Senate proceeded to the election of a President.

Mr. Groce placed in nomination the name of **Mr. Walker**.

Mr. Davis the name of **Mr. Rice**, of Montgomery.

Mr. Brodnax, the name of **Mr. Toulmin**.

On the 1st ballot, those who voted for **Mr. Walker** are, Messrs. Critcher, Garrett, Groce, Hammond, Hardwick, Hill, Payne, Peacock, Porter and Wood—10.

Those who voted for **Mr. Rice** are, Messrs. Barnes, Cato, Coleman, Davis, Ligon, Lewis and Reavis—7.

Those who voted for **Mr. Toulmin** are, Messrs. Beeson, Brodnax, Clarke, Ervin, Jackson, Moren, McCall and Rice, of Jackson—8.

Neither one having a majority of the whole number of votes given, the Senate proceeded to a second ballot.

Those who voted for **Mr. Walker** are, Messrs. Critcher, Garrett, Groce, Hammond, Hardwick, Hill, Payne, Peacock, Porter, and Wood—10.

Those who voted for **Mr. Rice** are, Messrs. Barnes, Cato, Coleman, Davis, Ligon, Lewis, and Reavis—7.

Those who voted for Mr. Toulmin are, Messrs. Beeson, Brodnax, Clarke, Ervin, Jackson, Moren, McCall and Rice, of Jackson—8.

Neither one having a majority, a third ballot was had.

Those who voted for Mr. Walker are, Messrs. Critcher, Garrett, Groce, Hammond, Hardwick, Hill, Ligon, Payne, Peacock, Porter and Wood—11.

Those who voted for Mr. Rice are, Messrs. Barnes, Cato, Coleman, Davis and Lewis—5.

Those who voted for Mr. Toulmin are, Messrs. Beeson, Brodnax, Clarke, Ervin, Jackson, Moren, McCall, Reavis, and Rice, of Jackson—9.

Neither one having received a majority, the Senate proceeded to a fourth ballot.

Those who voted for Mr. Walker are, Messrs. Critcher, Groce, Hammond, Hardwick, Hill, Ligon, Payne, Porter and Wood—10.

Those who voted for Mr. Rice are, Messrs. Barnes, Cato, Coleman, Davis, Lewis and Peacock—6.

Those who voted for Mr. Toulmin are, Messrs. Beeson, Brodnax, Clarke, Ervin, Jackson, Moren, McCall, Reavis and Rice, of Jackson—9.

Neither having a majority, a fifth ballot was had.

Those who voted for Mr. Walker are, Messrs. Critcher, Garrett, Groce, Hammond, Hardwick, Hill, Payne, Porter and Wood—9.

Those who voted for Mr. Rice are, Messrs. Barnes, Cato, Coleman, Davis, Lewis and Peacock—6.

Those who voted for Mr. Toulmin are, Messrs. Beeson, Brodnax, Clarke, Ervin, Jackson, Ligon, Moren, McCall, Reavis and Rice, of Jackson—10.

Neither one having a majority, a sixth ballot was had.

Those who voted for Mr. Walker are, Messrs. Coleman, Garrett, Groce, Hammond, Hardwick, Hill, Payne, Porter and Wood—9.

Those who voted for Mr. Rice are, Messrs. Barnes, Cato, Coleman, Critcher, Davis and Lewis—6.

Those who voted for Mr. Toulmin are, Messrs. Beeson, Brodnax, Clarke, Ervin, Jackson, Ligon, Moren, McCall, Peacock, Reavis and Rice, of Jackson—11.

Neither having a majority, a 7th ballot was had.

Those who voted for Mr. Walker are, Messrs. Coman, Garrett, Groce, Hammond, Hardwick, Hill, Ligon, Porter and Wood—9.

Those who voted for Mr. Rice are, Messrs. Barnes, Cato, Davis and Lewis—4

Those who voted for Mr. Toulmin are, Messrs. Beeson, Brodnax, Clarke, Ervin, Jackson, McCall and Peacock—7.

Those who voted for Mr. Jackson are, Messrs. Coleman, Critcher, Moren, Payne, Reavis, and Rice, of Jackson—6.

Neither one having received a majority, the Senate proceeded to the eighth ballot.

Those who voted for Mr. Walker are, Messrs. Critcher, Coman, Garrett, Groce, Hammond, Hardwick, Hill, Payne, Porter, and Wood—10.

Those who voted for Mr. Rice are, Messrs. Barnes, Cato, Davis, Ligon, Reavis, and Rice, of Jackson—6.

Those who voted for Mr. Toulmin are, Messrs. Beeson, Brodnax, Clarke, Ervin, Jackson, Moren, McCall and Peacock—8.

Those who voted for Mr. Barnes are, Messrs. Coleman and Lewis—2.

Neither having a majority, a ninth ballot was had.

Those who voted for Mr. Walker are, Messrs. Coman, Critcher, Groce, Garrett, Hammond, Hardwick, McCall, Payne, Porter and Wood—9.

Those who voted for Mr. Rice are, Messrs. Barnes, Davis, and Rice, of Jackson—3.

Those who voted for Mr. Toulmin are, Messrs. Beeson, Brodnax, Clarke, Ervin and Jackson—5.

Those who voted for Mr. Barnes are, Messrs. Coleman, Hill, Lewis, Moren and Reavis—5.

Those who voted for Mr. Clarke are, Messrs. Cato, Ligon, McCall and Peacock—4.

Neither having a majority, a tenth ballot was had.

Those who voted for Mr. Walker are, Messrs. Coman, Critcher, Garrett, Groce, Hammond, Hardwick, Payne, Porter and Wood—9.

Those who voted for Mr. Rice are, Messrs. Barnes, Davis, and Rice, of Jackson—3.

Those who voted for Mr. Toulmin are, Messrs. Beeson, Brodnax, Clarke, Ervin and Reavis—5.

Those who voted for Mr. Barnes are, Messrs. Coleman, Hill, Lewis and Moren—4.

Those who voted for Mr. Clarke are, Messrs. Cato, Jackson, McCall and Peacock—4.

Mr. Ligon voted for Mr. Jackson—1.

Neither having a majority, an eleventh ballot was had.

Those who voted for Mr. Walker are, Messrs. Coman, Garrett, Groce, Hammond, Hardwick, Hill, McCall, Payne, Peacock, Porter, Rice, of Jackson, and Wood—12.

Those who voted for Mr. Rice are, Messrs. Davis and Harrison—2.

Those who voted for Mr. Toulmin are, Messrs. Beeson, Brodnax, Clarke and Ervin—4.

Those who voted for Mr. Barnes are, Messrs. Cato and Reavis—2.

Those who voted for Mr. Clarke are, Messrs. Barnes, Jackson, Ligon and Lewis—4.

Those who voted for Mr. Jackson are, Messrs. Coleman, Critcher and Moren—3.

Neither having a majority, a twelfth ballot was had.

Those who voted for Mr. Walker are, Messrs. Coman, Critcher, Garrett, Groce, Hammond, Hardwick, McCall, Payne, Peacock, Porter, Rice, of Jackson, and Wood—12.

Those who voted for Mr. Toulmin are, Messrs. Beeson, Brodnax, Ervin and Jackson—4.

Those who voted for Mr. Barnes are, Messrs. Cato, Clarke, Coleman, Davis, Hill, Ligon, Lewis, Moren and Reavis—9.

Mr. Rice being withdrawn.

The thirteenth ballot was as follows :

Those who voted for Mr. Walker are, Messrs. Coman, Critcher, Garrett, Groce, Hammond, Hardwick, McCall, Payne, Peacock, Porter, Rice, of Jackson, and Wood—12.

Those who voted for Mr. Toulmin are, Messrs. Beeson, Brodnax, Ervin, Harrison and Jackson—5.

Those who voted for Mr. Barnes are, Messrs. Cato, Clarke, Coleman, Davis, Hill, Ligon, Lewis, Moren and Reavis—9.

Neither candidate having a majority, the Senate proceeded to a fourteenth ballot.

The names of Messrs. Rice and Toulmin being withdrawn, Mr. Barnes was put in nomination.

Those who voted for Mr. Walker are, Messrs. Beeson, Brodnax, Coman, Critcher, Ervin, Garrett, Groce, Hammond, Hardwick, McCall, Payne, Peacock, Porter and Wood—14.

Those who voted for Mr. Barnes are, Messrs. Cato, Clarke, Coleman, Davis, Harrison, Hill, Jackson, Ligon, Lewis, Moren, Reavis, Rice, of Montgomery, and Rice, of Jackson—13.

Mr. Walker having received a majority of the whole number of votes cast, was declared duly elected President of the Senate for the term prescribed by the Constitution.

On motion of Mr. Groce, a committee of three was appointed to wait upon Mr. Walker and inform him of his election.

Messrs. Groce, Harrison, and Reavis, were appointed said committee.

The committee conducted Mr. Walker to the chair, when he was qualified and entered upon the discharge of the duties of his office.

Message from the House by Mr. Clitherall :

Mr. President:

The House has originated and passed bills—

To divorce Moses Jones from his wife Sarah Ann Jones.

To divorce Lemons Box from Rutha Box,

And has passed Senate bills—

To repeal that portion of the revenue laws that requires tax collectors to furnish schedule, &c.

Supplementary to an act to authorize the Confederate government to purchase and hold, in Alabama, a site for rolling mills, foundery, &c.

To authorize Circuit Court judges to hold special terms of their courts.

The House has adopted the following resolution :

Resolved, That a select committee of three be appointed, to act with a like committee on the part of the Senate, in requesting the Rev. I. T. Tichenor to furnish a copy of the sermon which he delivered in the hall of the House, on Friday, 21st instant, for publication.

Messrs. Foster, Bethea, and Chambers, compose the House committee.

The Senate concurred in the foregoing resolution of the House, and Messrs. Hill, Coleman, and Rice, of Montgomery, were appointed the committee on the part of the Senate.

CALL OF THE DISTRICTS.

Bills were introduced—

By Mr. Rice, of Montgomery, to authorize Charles W. Oliver to marry.

Which was read three times forthwith and passed.

By Mr. Ervin, for the benefit of the indigent families of soldiers in Dallas county.

Which was read twice, and referred to the committee on finance and taxation.

By Mr. Reavis, to increase the compensation for printing the Supreme Court Reports.

Also, to compensate the commissioners of roads and revenue in the county of Choctaw.

Which bills were read twice and referred to the judiciary committee.

By Mr. Jackson, for the relief of a person therein named, accompanied with an account.

Which was read three times forthwith and passed.

On motion of Mr. Garrett,

Resolved, That the secretary of the Senate inform the House of Representatives that the Senate has elected the Honorable Thomas A. Walker, President of the Senate, in place of the Hon. R. Jemison, jr., resigned.

Mr. Ligon presented the memorial of citizens of Macon county in behalf of the indigent families of soldiers.

Which was referred to the military committee.

Mr. Cato introduced joint resolutions against running the blockade private enterprise; and against substitution in the Confederate army; and to make a certain per cent. of the slaves subject to military service.

Which were referred to the committee on Confederate Relations.

Mr. Lewis introduced a bill to authorize executors, administrators, guardians and trustees, of Russell county, to make publication in a newspaper published in Columbus, Georgia.

Which was read three times forthwith and passed.

On motion of Mr. Garrett,

Resolved, That the Governor be requested to communicate to the Senate, the nature of the contract with Davis & Bozeman, of Coosa county, for the repair of arms; what number of arms have been repaired and delivered to the State, and the cost of the same.

House bills—

To divorce Lemons Box from Rutha Box.

To divorce Moses Jones from Sarah Ann Jones.

Were read three times forthwith, and passed by a majority of two-thirds of the whole Senate, taken by yeas and nays.

On motion of Mr. Garrett,

Resolved, That the committee on Confederate Relations inquire into the expediency of declaring the sense of the General Assembly on the subject of blockade running and supplying the enemy with cotton, with leave to report by bill or otherwise.

Mr. Cato, from the judiciary committee, reported favorably to the bill from the House for the relief of the gas light company of Selma and other gas companies, with the following amendment thereto:

Strike out all after the word "as" in the 6th line of section 1, and insert in lieu thereof the following, "the gas light companies of the cities of Montgomery and Mobile are now legally authorized to charge."

Which amendment was adopted, the bill read a third time, and passed.

Message from the House by Mr. Clitherall:

Mr. President :

The House of Representatives has passed the following bills from the Senate—

To amend section 1748 of the Code, as to Bibb county.

To change the boundary line of the counties of Mobile and Washington.

To authorize M. McCorvey, Probate Judge of Munroe county, to act as such in the settlement of the estate of Henry O. Abney.

For the relief of the indigent families of soldiers in Washington county.

To authorize the Court of Probate of Chambers county to grant letters of administration upon the estate of James M. Kennedy, deceased.

The House has originated and passed the following bills, viz:

To contribute to the support of the families of soldiers in the military service from the State of Alabama.

To amend the revenue laws of the State of Alabama.

To appropriate twenty-five thousand dollars to pay the members and officers of the present General Assembly.

To require persons to pay taxes in the county where the property is located, in certain cases.

In relation to working on public roads.

To amend section 1748 of the Code, so far as relates to Bibb, Randolph, and Shelby counties.

Joint resolutions to equalize taxation for the support of indigent families of soldiers, and to support the same by the State.

To repeal an act to regulate the sale of and exportation of corn, approved December 8, 1862.

In relation to auction sales.

House bills—

To repeal an act to regulate the sale and exportation of corn, approved December 8, 1862.

To amend section 1748 of the Code, so far as relates to Bibb, Randolph, and Shelby counties.

To contribute to the support of the indigent families of soldiers, &c.

To amend the revenue laws of the State of Alabama.

Were severally read twice, and referred to the judiciary committee.

House bill to amend the revenue laws as to auction sales, was read twice and referred to the committee on finance and taxation.

House joint resolutions to equalize taxation for the support of indigent families of soldiers, were adopted.

House bill in relation to working on public roads, was read twice and referred to the committee on roads, bridges and ferries.

House bills—

To require persons to pay taxes in the county where the property is located.

Appropriating \$25,000 to pay members and officers of the present session of the General Assembly.

Were severally read three times and passed.

Mr. Clarke introduced a bill to prevent justices of the peace and probate judges in this State from issuing writs of habeas corpus in certain cases.

Which was read twice.

Mr. Moren moved to strike out "probate judges," wherever the same occurs in the bill.

Mr. Rice, of Montgomery, moved the indefinite postponement of the bill.

Which was carried—yeas 20, nays 8.

Those who voted in the affirmative are, Messrs. Barnes, Beeson, Brodnax, Coleman, Coman, Critcher, Davis, Ervin, Garrett, Hammond, Harrison, Hill, Lewis, Moren, McCall, Payne, Porter, Rice, of Montgomery, Rice, of Jackson, and Wood—20.

Those who voted in the negative are, Messrs. President, Cato, Clarke, Groce, Hardwick, Jackson, Reavis and Toulmin—8.

Senate then adjourned until 4, P. M.

AFTERNOON SESSION.

Senate met pursuant to adjournment.

On motion of Mr. Jackson,

Resolved, That a committee be appointed to wait on the Hon. R. Jameson, jr., late President of the Senate, and request a copy of his valedictory address to this body for publication.

Messrs. Jackson, Coman, and Hammond, were appointed said committee.

REPORTS FROM COMMITTEES :

Mr. Toulmin, from the military committee, reported a substitute for the bill to declare who shall constitute the militia of the State of Alabama, with the title of a bill to reorganize the militia of the State of Alabama.

Which substitute was adopted and made the special order for 10 o'clock to-morrow morning.

Mr. Harrison, from the committee on finance and taxation, reported favorably to the bill to provide for the purchase of stationery and fuel.

Which bill was read a third time forthwith and passed.

Mr. Reavis, from the judiciary committee, reported favorably to the bill to regulate the payment of taxes in certain cases.

Mr. Groce moved to amend by substitute for section 4.

Which was adopted, the bill read a third time and passed.

Mr. Garrett, from the select committee, reported favorably, with an amendment, to the joint resolutions in relation to Generals Holmes and Pemberton, as amended by the House.

Which amendment was adopted, and the House amendment as amended, was concurred in—yeas 26, nays 1.

Those who voted in the affirmative are, Messrs. President, Barnes, Beeson, Brodnax, Cato, Clarke, Coleman, Davis, Ervin, Garrett, Groce, Hardwick, Harrison, Hill, Jackson, Ligon, Lewis, McCall, Payne, Peacock, Porter, Reavis, Rice, of Montgomery, Rice, of Jackson, Toulmin and Wood—26.

Those who voted in the negative are, Messrs. Critcher—1.

Mr. Barnes, from the same committee, to whom were referred joint resolutions approving the official conduct of President Davis, &c., reported favorably thereon, with the following amendment:

“Strike out the 1st amendment and insert other resolutions, from 1 to 5, inclusive,”

Which amendment was adopted, and the resolutions as amended, were adopted—yeas 25, nays 1.

Those who voted in the affirmative are, Messrs. President, Barnes, Beeson, Brodnax, Cato, Clarke, Coleman, Davis, Ervin, Garrett, Groce, Hardwick, Harrison, Hill, Jackson, Lewis, McCall, Payne, Peacock, Porter, Reavis, Rice, of Montgomery, Rice of Jackson, Toulmin and Wood—25.

Those who voted in the negative are, Messrs. Critcher—1.

Mr. Harrison, from the committee on finance and taxation, reported favorably to the bill to amend “an act to amend the revenue laws of this State,” approved December 9, 1862.

Which was read a third time and passed.

Mr. Clark, from the select committee, to whom was referred the House joint resolutions expressing the confidence of the General Assembly in President Davis, reported adversely to their adoption, because the committee had just reported favorably to joint resolutions to the same effect, originating in the Senate.

The joint resolutions and report were laid on the table.

Mr. Reavis introduced a bill for the relief of Wiley J. Coleman, of Choctaw county.

Which was read twice, and referred to the committee on finance and taxation.

Senate then adjourned till 9 o'clock to-morrow morning.

TUESDAY, AUGUST 25, 1863.

Senate met pursuant to adjournment.

Prayer by the Rev'd Mr. Jordan of this city.

On motion of Mr. Clarke the call of the Districts was dispensed with.

Mr. Clarke, from the committee on finance and taxation, reported adversely to granting the petition of G. A. Ulrich to relieve him from his contract with the State for distilling alcohol.

Which report, with the petition, was laid on the table.

Mr. Reavis, from the judiciary committee, reported favorably to the bill to compensate the commissioners of roads and revenue in Choctaw county.

Which bill was read a third time, and passed.

Also reported favorably to the bill to contribute to the support of the indigent families of soldiers, &c., with sundry amendments.

Which were adopted, the bill read a third time, and passed.

Mr. Ligon, from the same committee, reported adversely to the House bill,

To amend the revenue laws of the State.

Which was concurred in.

Mr. Rice, of Montgomery, from the same committee, reported a substitute for the House bill, to repeal an act to regulate the sale and exportation of corn, approved December 8, 1862.

Which substitute was adopted, the bill read a third time, and passed.

The caption was amended so as to read: A bill to extend and apply to wheat the provisions of "an act to regulate the sale and exportation of corn," approved December 8, 1862.

Mr. Cato, from the same committee, reported favorably to the bill to increase the compensation for printing the Supreme Court reports.

Which bill was read a third time, and passed.

Mr. Jackson, from the committee to wait on the Hon. R. Jemison, Jr., and request a copy of his valedictory address, for publication, reported that Mr. Jemison had furnished the committee with a copy, which is herewith submitted.

Ordered that the address be spread upon the journal, and that the city papers be requested to publish the same.

Valedictory address of Hon. R. Jemison, Jr., upon the occasion of his resignation as President of the Senate:

SENATORS: My election to the Confederate States Senate, renders me, from the commencement of the term of service, ineligible to hold a place amongst you as a member of this body. I shall, therefore, this morning, tender my resignation

as such, before doing which, however, I tender you my resignation as your presiding officer, that you may at once proceed to fill my place.

Elected to fill the vacancy occasioned by the death of the lamented Yancey, whose eloquence and perseverance in the cause of Southern rights, contributed more largely than the efforts of any other man to bring about our separation from the old Federal Union, and to whom, up to the period of secession, as well as upon the question of secession itself, it is well known that I was opposed in my political views, it may not be deemed inappropriate, to briefly state my views as to what course the Government and the people of the Confederacy, in the present trying emergencies of the country should pursue.

The question of secession is of the things that are past. It is become a part of the country's history. Future historians, other men and other times, will pass a more impartial verdict as to its wisdom and its policy, than the present generation. But it is for the present generation to decide its own political status. It matters not whether our separation was right or wrong, wise or unwise. The alternative now presented to us is, to press forward, arms in hand, until we shall have achieved an honorable and glorious independence, or to tamely and basely submit to the lowest political and social degradation. However ardently peace may be desired, there is not, I trust, among us, or in the Confederacy, one who would accept peace on any other than honorable terms. Who would, for the sake of peace, be willing to see the Southern people consigned to political degradation and doomed to a social equality with their slaves? We are told by our oppressors that no terms of peace will be accepted but upon the unconditional and immediate abolition of slavery, and confiscation of rebel property. If there is any man in the land who would accept peace on these terms, he deserves a traitor's doom.

Though a more able and eloquent advocate of Southern independence, my predecessor, if living, would not give to the cause of our bleeding country a more zealous and unwavering support than myself.

Whatever clouds may darken the prospects of our independence, let us not despair or despond. Let us bear in mind "the race is not always to the swift, nor the battle to the strong." Relying upon the justness of our cause and imploring the favor of Divine Providence, let us press forward to conquer an honorable peace or to honorable graves. Let us know no such word as "*fail*." Let our lips never whisper it. Let it not enter into our thoughts. Let us banish it even from our dreams.

In retiring from the office to which your confidence and partiality has called me—especially in separating from you as a member of the Senate—there are many, very many feelings of regret. Yet the separation revives many pleasant recollections. For a quarter of a century I have been almost uninterruptedly a member of one or the other branch of the General Assembly of the State. During this long period no incident has occurred to interrupt my friendly or social relations with any member or officer with whom I have been connected. I now retire without an unkind feeling towards any one with whom I have been thus associated, and I have the gratification to think and believe that in no case is there a different feeling towards myself. My connection with the legislation of the State is now about being terminated. Yea, in all human probability, terminated forever. Our parting brings many sad reflections. We part, some of us, never to meet again either in the halls of legislation or the common walks of life. We part with many dark and threatening clouds hanging over the prospects of our beloved country. Let me in this, her hour of adversity, exhort you that each of us shall pledge to the other his life, his fortune and his sacred honor, in defense of her holy cause.

Senators and friends, I bid you an affectionate farewell. May the God of heaven bless you individually! May He direct your councils and deliver our bleeding country from the hands of her enemies.

Mr. Lewis, from the judiciary committee, reported adversely to the House bill, to amend section 1748 of the Code, as to the counties of Bibb, Randolph and Shelby.

Which report was concurred in.

Mr. Porter, from the same committee, reported adversely to the bill to amend an act to provide for the sale of lands purchased by the State at tax sales, &c.

Which report was concurred in.

Mr. Harrison, from the committee on finance and taxation, reported adversely to the bill for the relief of the indigent families of soldiers in Dallas county.

Which was concurred in.

Mr. Davis, by leave, introduced a bill to increase the pay of certain county officers therein named.

Which was read twice and referred to the judiciary committee.

Mr. Rice, of Montgomery, introduced a bill to regulate the fees in the Comptroller's office.

Which was read twice.

Mr. Reavis moved to amend by additional section as number two.

The bill and amendment were referred to the committee on finance and taxation.

Mr. Garrett introduced a bill to prevent the distillation of potatoes and peas.

Which was read three times, forthwith, and passed.

Message from the House by Mr. Clitherall.

Mr. President:

The House has passed the Senate bill for the relief of a person therein named.

And originated and passed bills---

For the relief of tax payers, in certain cases.

For the relief of P. A. Brandon, and P. M. Frazier.

In relation to working on public roads.

To provide for the redemption of halves of change bills.

And joint resolutions instructing our Senators, and requesting our Representatives in Congress to procure the passage of a law paying for horses lost in the war.

The House has referred to a select committee, composed of Messrs. Jones, Lawler, and Taylor, the following resolution, and ask a like committee on the part of the Senate, to act jointly with the committee of the House on said resolution:

Resolved, By the Senate and House of Representatives of the State of Alabama in General Assembly convened, that the Senators and Representatives from the State of Alabama, in the Confederate Congress, are hereby requested and directed, at the earliest practicable period, to present for the consideration of Congress, the subject of making Confederate currency a legal tender in the payment of debts, and if, in their judgment, the constitutional power exists, that they urge its exercise by the passage, immediately, of such a law.

Which House resolution, on motion of Mr. Rice, of Montgomery, was laid on the table.

House bill to provide for the redemption of detached halves of treasury note change bills, issued by the State of Alabama,

Was read three times and lost.

House joint resolutions instructing our Senators and requesting our Representatives in Congress to procure the passage of a law paying for horses lost in the war, was adopted.

House bill in relation to working on public roads, was read twice, and referred to the committee on roads, bridges and ferries.

House bill for the relief of P. M. Frazier, and P. A. Brandon, was read three times and passed.

Message from the Governor, by Mr. Taylor, private secretary:

Mr. President.

The Governor instructs me to communicate a message and report in reply to the inquiry of the Senate in reference to the contract with Davis and Bozeman for the repair of arms.

Which was laid on the table.

Mr. Reavis introduced a bill to aid the Confederate Government in arresting deserters and others.

Which was read twice and postponed until the militia bill was disposed of.

Mr. Toulmin, from the military committee, asked leave to be discharged from the consideration of the resolution instructing that committee to inquire into the expediency of extending the militia age from 17 to 50 years, &c.

The committee was discharged.

Mr. Toulmin also returned to the Senate the communication from the Secretary of War, accompanying the Governor's Message.

Which was laid on the table.

Mr. Hill, from the joint committee to procure a copy, for publication, of the sermon of the Rev. Mr. Tichenor reported that Mr. Tichenor had complied with the request of the General Assembly, and that a copy would be handed to the committee so soon as prepared.

Message from the House by Mr. Clitherall.

Mr. President.

The House has passed Senate bills—

For the relief of W. B. Robinson.

To amend section 1934 of the Code.

The Senate proceeded to consider the bill to reorganize the militia of the State of Alabama.

Mr. Barnes moved to amend section 2 by striking out of the 4th line the word "sixteen" and inserting "eighteen:" and striking out "not over sixty years of age," in the same line, and inserting "all men over that age capable of bearing arms."

A division being called for, the question was first taken on striking out "16" and inserting "18."

Which was lost.

The question was then taken on the other branch of Mr. Barnes' motion. A division being called for, the question was first taken on striking out.

Which was lost—yeas 13, nays 17.

Those who voted in the affirmative are, Messrs. Barnes, Beeson, Cato, Coman, Critcher, Garrett, Harrison, Hill, Lewis, Moren, McCall, Payne and Peacock—13.

Those who voted in the negative are, Messrs. President, Brodnax, Clarke, Coleman, Davis, Ervin, Groce, Hammond,

Hardwick, Jackson, Ligon, Porter, Reavis, Rice, of Montgomery; Rice, of Jackson, Toulmin and Wood—17.

Mr. Garrett moved to amend by inserting after the word "three," in the 9th line of the same section, the words "or men."

Which was adopted.

Mr. Hardwick moved to amend section 3 by striking out "45" in the 5th line, and inserting "50."

Mr. Lewis gave notice that if the word was stricken out he would move to insert "47."

A division being called for, the question was first taken on striking out, and lost—yeas 13, nays 17.

Those who voted in the affirmative are, Messrs. Barnes, Brodnax, Cato, Colman, Davis, Ervin, Groce, Hardwick, Harrison, Hill, Lewis, Payne and Wood—13.

Those who voted in the negative are, Messrs. President, Beeson, Clarke, Coman, Critcher, Garrett, Hammond, Jackson, Ligon, Moren, McCall, Peacock, Porter, Reavis, Rice, of Montgomery, Rice, of Jackson, and Toulmin—17.

Mr. President then put the motion of Mr. Lewis to strike out "45" and insert "47."

Mr. Barnes rose to a point of order, that inasmuch as the Senate had refused to strike out "45," upon his motion to strike out, and insert "50," and a division of the question having been called for, and the question was taken on striking out and the Senate refused to strike out, that it was not competent for the Senate again to entertain the motion.

Mr. President decided the point of order as not well taken, and that the motion of Mr. Lewis was in order.

Mr. Barnes appealed from the decision of the President, and the question being, shall the decision of the Chair be the decision of the Senate.

It was decided in the negative—yeas 10, nays 19.

Those who voted in the affirmative are, Messrs. Beeson, Brodnax, Ervin, Groce, Hardwick, Harrison, Lewis, McCall, Payne and Peacock—10.

Those who voted in the negative are, Messrs. Barnes, Cato, Clarke, Coleman, Coman, Critcher, Davis, Garrett, Hammond, Hill, Jackson, Ligon, Moren, Porter, Reavis, Rice, of Montgomery, Rice, of Jackson, Toulmin and Wood—19.

Mr. Reavis moved to amend by inserting after the numeral "1," in the 11th line of section 3, the following: "And of such persons in Class No. 1, as may choose to enrol themselves in Class No. 2, which they are authorized to do."

Which was adopted.

Mr. Ervin moved to amend as follows, add to section 3 the following: "The special aid shall also be empowered, where

there are but few persons enrolled in a particular beat to incorporate and consolidate two or more adjacent beats into one, and to define the boundaries of beats when they are not sufficiently understood or defined."

Which was adopted.

Mr. Jackson moved to amend by adding to section 3 as amended, the following: "Provided those persons of the 1st Class, residing in the counties lying on the Tennessee river which have been invaded by the enemy, be exempt from the operations of this act.

Which was adopted.

Mr. Cato moved to amend by adding the following after the word "Alabama," in the 7th line: "provided such persons are over the age of 45 years, if not, then they shall be a part of Class No. 2."

Which amendment, on motion of Mr. Reavis, was laid on the table—yeas 17, nays 12.

Those who voted in the affirmative are, Messrs. President, Beeson, Clarke, Coman, Critcher, Davis, Hammond, Hill, Jackson, Lewis, Moran, Payne, Porter, Reavis, Rice, of Montgomery, Rice, of Jackson, and Toulmin—17.

Those who voted in the negative are, Messrs. Brodnax, Cato, Coleman, Ervin, Garrett, Groce, Hardwick, Harrison, Ligon, McCall, Peacock, and Wood—12.

Senate adjourned till 4, P. M.

AFTERNOON SESSION.

Senate met pursuant to adjournment, and resumed the consideration of the Militia bill.

Mr. Rice moved to reconsider the vote laying on the table Mr. Cato's amendment.

Which was lost.

Mr. Rice, of Montgomery, moved to amend the 4th section by inserting, after the word "him," in 6th line, the words "not more than ten days from the issue of such writs."

Which was adopted.

Also, to insert the same words after the numeral "2" in the 11th line.

Which was adopted.

Mr. Reavis moved to strike out the following words at the end of section 4: "And if in any case the county commandant shall fail or refuse to serve, the Governor shall fill such office by appointment."

Which was carried.

Mr. Harrison moved to amend by inserting two sections as numbers 5 and 6.

Which amendment, on motion of Mr. Garrett, was laid on the table.

Mr. Reavis moved to amend by inserting after the word "reserves," in 2nd line of section 7, the words, "or when the commandant shall fail or refuse to serve."

Which was adopted.

Also to amend by inserting the same words after the word "class," in 7th line.

Which was adopted.

Also, moved to amend section 8, by striking out the words, "of the State militia," after the word "commandant," in the 9th line.

Also, to strike out the words "enrolled militia," in the 11th line, and insert the word "enrollments."

Which were adopted.

Mr. Barnes moved to strike out of 5th line, section 11, the words, "at any point in the county to which they belong."

Which, on motion of Mr. Garrett, was laid on the table.

Mr. Coleman moved to amend section 11, by adding thereto the following: "Provided, that in case of emergency, the Governor, or county commandant may order the county reserves to an adjoining county."

Mr. Rice moved to amend said amendment, by substitute, as follows: "Provided that, in case of emergency, the Governor or county commandant may, by the assent of a majority of any company or organization of reserves, order or take such company or organization into any adjacent county to meet such emergency."

Which, on motion of Mr. Reavis, was laid on the table—yeas 19, nays 9.

Those who voted in the affirmative are, Messrs. President, Barnes, Brodnax, Cato, Coleman, Coman, Davis, Ervin, Garrett, Hardwick, Harrison, Hill, Jackson, Lewis, Moren, Payne, Porter, Reavis and Toulmin—19.

Those who voted in the negative are, Messrs. Beeson, Clarke, Critcher, Ligon, McCall, Peacock, Rice, of Montgomery, Rice, of Jackson, and Wood—9.

Mr. Moren moved to lay Mr. Coleman's amendment on the table—yeas 13, nays 15.

Those who voted in the affirmative are, Messrs. Clarke, Coman, Critcher, Garrett, Harrison, Jackson, Ligon, Moren, Payne, McCall, Peacock, Rice, of Montgomery, and Rice, of Jackson—13.

Those who voted in the negative are, Messrs. President, Barnes, Beeson, Brodnax, Cato, Coleman, Davis, Ervin, Hardwick, Hill, Lewis, Porter, Reavis, Toulmin and Wood—15.

Mr. Garrett moved to amend the amendment of Mr. Coleman by inserting, after the word "reserves," the words, "with the assent of a majority of said reserves."

Mr. Barnes made a point of order, that inasmuch as the Senate had just voted down a proposition of the same substance, and to the same effect, that it was not competent for the Senate to entertain the motion.

Pending which point of order, Mr. Rice, of Montgomery, having the floor,

Senate adjourned till 9 o'clock to-morrow morning.

WEDNESDAY, AUGUST 26, 1863.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Jordan, of this city.

CALL OF THE DISTRICTS.

Bills were introduced—

By Mr. Rice, of Montgomery, for the benefit of the widow and children of Philip McGuire, deceased.

By Mr. Reavis, to protect the estates of decedents.

Also, to authorize the further issue of State Treasury notes.

By Mr. Clarke, for the relief of R. R. Pickering and J. L. Terrell as executors of John D. Catlin, late of Marengo county.

Which bills were severally read twice and referred to the judiciary committee.

By Mr. Harrison, for the relief of Simeon G. Perry, accompanied with a petition.

Which bill was read twice, and referred to the committee on accounts and claims.

By Mr. Rice, of Montgomery, for the relief of Ellen E. Robinson.

Which was read twice.

Mr. Davis moved to amend as follows : Section 4, be it further enacted, that all the provisions of this Act shall extend and be enjoyed by Elizabeth Main, the wife of Travis Main, of Covington county.

Which amendment was adopted, the bill read a third time, and passed.

By Mr. Garrett, to provide for the printing and distribution of the acts of the present Extra Session of the General Assembly.

Which was read twice and referred to the committee on State printing.

By Mr. Lewis, joint resolutions on printing and distributing the acts of the present session on the subject of military affairs.

Which were read twice and referred to the committee on State printing.

By Mr. Garrett, a bill in relation to prisoners sent to the penitentiary of Alabama, from other States.

Which was read three times, forthwith, and passed.

Also, joint resolutions in relation to the increase of the army of the Confederate States.

By Mr. Ligon, joint resolutions in relation to the detailing of soldiers to work on railroads and other places.

Which were referred to the committee on Confederate relations.

Mr. Groce presented the petition of William H. Thornton, Judge of Probate of Talledega county, praying the exemption of John Henderson, county administrator, from the militia service.

Which was referred to the military committee.

Mr. Hill introduced a bill to provide salt for the indigent families of soldiers in the State of Alabama.

Which was read twice and referred to a select committee of five, composed of Messrs. Hill, Brodnax, McCall, Hammond and Wood.

Message from the House by Mr. Clitherell.

Mr. President:

The House has originated and passed bills—

To amend an act to provide support for the families of indigent soldiers, &c., approved Nov. 12, 1862.

For the relief of certain government contractors.

The hour of 12 M. having arrived, the Senate was invited into the hall of the House for the purpose of electing a Chancellor for the middle Chancery division.

The Senate repaired to the hall of the House, when the two Houses proceeded to said election.

William M. Byrd, of Dallas, and Jefferson Falkner, of Chambers county, were placed in nomination.

Those who voted for Mr. Byrd are, Messrs. President, Brodnax, Cato, Clarke, Coman, Critcher, Davis, Ervin, Groce, Hammond, Harrison, Jackson, Moren, Payne, Porter, Reavis and Toulmin, of the Senate; and Messrs. Speaker, Armstrong, G. W. Ashe, Atkinson, Barron, Beard, Bell, Benners, Bethea, Bradley, Bryers, Brown, Chambers, Chapman, Charlton, Cobb, Cumming, Chisolm, J. W. Davis, M. L. Davis, Dawson, Donnell, Ellis, Fannin, Frankkip, Foster, Gafford, Gardner, Graves, Gibson, Hames, Hollis, Howard, Howell, J. Keenan, Kilpatrick, Lawler, Leeper, Lewis, Magee, Manasco, May, Mitchell, Modawell, J. Moore, Morrow, Moulton, McAlexander, McInnis, Malone, Nisbet, Orr, C. A. Parker, Parish, Parsons, Price, Robeson.

Scruggs, Seay, Sims, Sibley, Sykes, Taylor, Vincent, West, White and Young, of the House—65.

Those who voted for Mr. Falkner are, Messrs. Barnes, Beeson, Coleman, Garrett, Hardwick, Hill, Ligon, McCall, Peacock, S. F. Rice, and Wood of the Senate; and Messrs. Ashurst, Brooks, Bryan, Carlisle, Cooper, Cox, Clark, Dent, Fannin, Franklin, Greathouse, Head, Holly, Jones, H. I. M. Kennon, J. G. Moore, McCain, McClelland, McLemore, Ogbourne, E. S. C. Parker, Read, Ryan, Vansandt and Williams, of the House—25.

Mr. Byrd having received a majority of all the votes cast, was declared by Mr. Speaker to have been duly and constitutionally elected Chancellor for the middle chancery division for the term prescribed by law.

The Senate then withdrew to its chamber and proceeded to the consideration of the militia bill.

The question pending, at the adjournment on yesterday, being the appeal taken by Mr. Barnes on the decision of the Chair upon the point of order as raised by him, on the amendment offered by Mr. Garrett to the amendment of Mr. Coleman, and the question being, "shall the decision of the Chair stand as the decision of the Senate," it was decided in the affirmative—yeas 23, nays 5.

Those who voted in the affirmative are, Messrs. Barnes, Brodnax, Cato, Clarke, Coleman, Davis, Ervine, Groce, Hammond, Hardwick, Hill, Jackson, Ligon, Lewis, Moren, McCall, Payne, Peacock, Porter, Reavis, Rice, of Jackson, Toulmin and Wood—23.

Those who voted in the negative are, Messrs. Beeson, Critcher, Garrett, Harrison and Rice of Montgomery—5.

By leave, Mr. Coleman withdrew his amendment.

Whereupon Mr. Hill offered the following, to come in after the word "belong," in the 5th line of section 11: "only except in cases of emergency, such as the meeting of a raid of the enemy or the pursuing of such raid, or the suppressing of insurrections, in which cases the county commandant may take them into an adjoining county, but not further without the consent of a majority of the command, and they shall be permitted to return so soon as the enemy has passed away."

Mr. Cato moved to strike out the word "adjoining," where it occurs, and inserting "adjacent."

Which was lost—yeas 5, nays 23.

Those who voted in the affirmative are, Messrs. Cato, Ervin, Harris, Lewis and Moren—5.

Those who voted in the negative are, Messrs. President, Barnes, Brodnax, Clarke, Coleman, Coman, Critcher, Davis, Garrett, Groce, Hammond, Hardwick, Hill, Jackson, Ligon,

McCall, Payne, Peacock, Porter, Reavis, Rice, of Montgomery, Toulmin and Wood—23.

Mr. Hill's amendment was adopted—yeas 20, nays 10.

Those who voted in the affirmative are, Messrs. President, Barnes, Beeson, Brodnax, Cato, Clarke, Coleman, Davis, Ervin, Groce, Hardwick, Harrison, Hill, Ligon, Lewis, McCall, Payne, Reavis, Toulmin and Wood—20.

Those who voted in the negative are, Messrs. Coman, Critcher, Garrett, Hammond, Jackson, Moren, Peacock, Porter, Rice, of Montgomery, and Rice, of Jackson—10.

Mr. Cato moved to strike out section 12.

Which was lost—yeas 9, nays 21.

Those who voted in the affirmative are, Messrs. Beeson, Cato, Coleman, Critcher, Groce, Hardwick, Harrison, McCall and Peacock—9.

Those who voted in the negative are, Messrs. President, Barnes, Brodnax, Clarke, Coman, Davis, Ervin, Garrett, Hammond, Hill, Jackson, Ligon, Lewis, Moren, Payne, Porter, Reavis, Rice, of Montgomery, Rice, of Jackson, Toulmin and Wood—21.

Mr. Payne moved to amend section 13 by adding thereto the following: "Each member of the board shall be entitled to compensation, at the rate of five dollars per day during the sitting of the board."

Mr. Harrison moved to amend the amendment by striking out "five" and inserting "ten."

Which was lost.

Mr. Jackson moved to lay Mr. Payne's amendment on the table.

Which was lost.

Mr. Payne's amendment was adopted.

Mr. Reavis moved to amend section 14, by striking out in lines 3 and 4, the words, "and the certificate be approved by the commandant of the county."

Which was carried.

Mr. Rice, of Montgomery, moved to amend section 15, by striking out the words, "fill the vacancy," in line 3, and insert the words, "make the appointment."

Which was carried.

Mr. Reavis moved to amend the bill by inserting three additional sections as sections 18, 19, and 20.

Which was adopted.

On motion of Mr. Davis,

Senate adjourned till 4, P. M.

AFTERNOON SESSION.

Senate met pursuant to adjournment.

On motion of Mr. Garrett, the consideration of the militia bill was suspended to consider the House messages.

House bills—

Making appropriations to pay Joel White and B. B. Davis for stationery furnished State of Alabama.

Was read twice and referred to the committee on accounts and claims.

For the relief of tax payers in certain cases.

Was read twice and referred to the judiciary committee.

To increase the pay of certain public officers.

Was read twice.

Mr. Garrett moved to amend by proviso: "Provided that this act shall cease at the termination of the present war."

Mr. Groce moved to lay said amendment on the table.

Which was lost—yeas 9, nays 21.

Those who voted in the affirmative are, Messrs. Barnes, Clarke, Coleman, Coman, Davis, Groce, Reavis, Rice, of Montgomery, and Rice of Jackson—9.

Those who voted in the negative are, Messrs. President, Beeson, Brodnax, Cato, Critcher, Ervin, Garrett, Hammond, Hardwick, Harrison, Hill, Jackson, Ligon, Lewis, Moren, McCall, Payne, Peacock, Porter, Toulmin and Wood—21.

Mr. Rice, of Montgomery, moved to amend by amendment increasing the fees of the Comptroller in certain cases.

Which was lost.

Mr. Cato moved to lay the bill on the table.

Which was lost—yeas 14, nays 16.

Those who voted in the affirmative are, Messrs. Beeson, Cato, Critcher, Davis, Garrett, Hammond, Harrison, Hill, Jackson, Ligon, McCall, Peacock, Payne and Porter—14.

Those who voted in the negative are, Messrs. President, Barnes, Brodnax, Clarke, Coleman, Coman, Ervin, Groce, Hardwick, Lewis, Moren, Reavis, Rice, of Montgomery, Rice, of Jackson, Toulmin and Wood—16.

Mr. Peacock moved to amend by inserting "ten assessors and tax collectors."

Which was lost.

Mr. Hardwick moved to postpone the further consideration of the bill till Saturday next, at 10 o'clock, and make it the special order for that hour.

A division of the question being called for, the question was first taken on postponing till Saturday next at 10 o'clock.

Which was carried—yeas 19, nays 10.

Those who voted in the affirmative are, Messrs. President, Beeson, Brodnax, Cato, Critcher, Davis, Garrett, Groce, Hammond, Hardwick, Harrison, Hill, Jackson, Ligon, McCall, Payne, Peacock, Porter and Wood--19.

Those who voted in the negative are, Messrs. Barnes, Clarke, Coleman, Ervin, Lewis, Moren, Reavis, Rice, of Montgomery, Rice, of Jackson, and Toulmin--10.

Mr. Porter, from the committee on enrolled bills, reported the following as correctly enrolled :

To authorize circuit judges to hold special terms of their courts.

To repeal an act to authorize the commissioners' courts of Fayette and Morgan counties to levy a tax on dogs.

To repeal that portion of the revenue laws which requires the tax collectors of the several counties of this State to furnish the tax payers a schedule of the property upon which tax is paid.

Supplementary to an act to authorize the Confederate government to purchase and hold, in Alabama, a site for rolling mills, &c.

The Senate resumed the consideration of the militia bill.

Mr. Rice, of Montgomery, moved to strike out section 21.

Which was carried--yeas 19, nays 10.

Those who voted in the affirmative are, Messrs. Barnes, Beeson, Cato, Coleman, Critcher, Davis, Groce, Hammond, Hardwick, Harrison, Hill, Jackson, Lewis, Moren, McCall, Peacock, Rice, of Montgomery, Rice, of Jackson, and Wood--19.

Those who voted in the negative are, Messrs. President, Brodnax, Clarke, Ervin, Garrett, Ligon, Payne, Porter, Reavis and Toulmin--10.

Mr. Reavis moved a substitute for the section stricken out, as follows :

"Section 21--No person shall be exempt from service under this act who is able to bear arms, unless he be specially exempted by the Governor, either by name or as one of a class whom the Governor shall specially exempt."

Which was lost--yeas 8, nays 20.

Those who voted in the affirmative are, Messrs. Barnes, Brodnax, Cato, Ervin, Lewis, McCall, Reavis, and Rice, of Montgomery--8.

Those who voted in the negative are, Messrs. President, Beeson, Clarke, Coleman, Critcher, Davis, Garret, Graves, Hardwick, Harrison, Hill, Jackson, Ligon, Moren, Payne, Peacock, Porter, Rice, of Jackson, Toulmin and Wood--20.

Mr. Davis moved to amend section 23 by inserting at the end of 6th line the following :

"Or shall neglect to return such gun to the county or bear commandant if he removes out of the State or county."

Which was adopted.

Mr. Beeson moved to amend as follows, at the end of section 3 add the following :

"Provided further, That all the resident citizens of Blount county be and they are hereby exempted from the operations of this act."

Which was lost.

On motion of Mr. Jackson, the vote adopting the following amendment was reconsidered :

"Provided, Those persons of the 1st class residing in the counties lying on the Tennessee river which have been invaded by the enemy, be exempted from the operations of this act."

Mr. Barnes offered the following as a substitute for the same:

"Provided, The Governor shall be empowered and authorized to exempt any portion of the State from the operations of this act, so far as relates to persons of the first class, whenever, in his opinion, the good of the country may require, and for such length of time as may be thought proper."

Which substitute was adopted.

Mr. Harrison moved to amend by additional sections as 5 and 6.

Which was laid on the table.

Mr. Clarke moved to amend section 13 as follows:

"And any surgeon who fails or refuses to accept such appointment or discharge the duties imposed on him by this act without a sufficient excuse, to be judged of by the commandant, shall be immediately enrolled in class No. 2, and liable to indictment; and if the jury trying the case shall be of opinion that his excuse aforesaid is not sufficient, he may be convicted and fined by said jury in any sum they may assess not exceeding \$2,000: Provided, The surgeon so failing or refusing may appeal from the decision of the commandant to the Governor of the State."

Mr. Ervin moved to lay the amendment on the table.

Which was lost—yeas 13, nays 13.

Those who voted in the affirmative are, Messrs. President, Barnes, Brodnax, Coman, Davis, Ervin, Groce, Harrison, Ligon, Moren, Payne, Porter and Rice, of Jackson—13.

Those who voted in the negative are, Messrs. Beeson, Cato, Clarke, Coleman, Garrett, Hardwick, Hill, McCall, Peacock, Reavis, Rice, of Montgomery, Toulmin and Wood—13.

On motion of Mr. Reavis, the further consideration of the bill was postponed till 9½ o'clock to-morrow morning.

Senate then adjourned till 9 o'clock to-morrow morning.

Yeas 18, nays 3.

Those who voted in the affirmative are, Messrs. President, Brodnax, Cato, Coleman, Coman, Critcher, Davis, Garrett, Groce, Hardwick, Harrison, Hill, McCall, Payne, Peacock, Porter, Toulmin and Wood—18.

Those who voted in the negative are, Messrs. Ervin, Reavis and Rice, of Montgomery—3.

THURSDAY, AUGUST 27, 1863.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Jordan, of this city.

Mr. Barnes introduced a bill to incorporate the Ashby and Cahaba River Railroad Company.

Which was read three times, forthwith, and passed.

It was ordered to the House without being engrossed.

Mr. Reavis, from the judiciary committee, reported favorably to the bill to authorize the further issue of State Treasury notes.

Which was read a third time and passed.

Mr. Garrett, from the committee on State printing, reported favorably to the bill to provide for printing and distributing the acts of the present extra session.

Which was read a third time and passed.

Also, reported adversely to the joint resolutions on printing and distributing the acts of the present session on the subject of military affairs.

Which report was concurred in.

Mr. Rice, of Montgomery, from the judiciary committee, reported favorably to the bill to protect the estates of decedents and others.

Which was read a third time and passed.

Mr. Moren, from the committee on accounts and claims, reported joint resolutions for the relief of J. J. Havis as a substitute for the bill for the relief of Simon G. Perry.

The Senate refused to adopt the substitute.

By leave, Mr. Harrison withdrew the bill and petition.

Mr. Davis, from the judiciary committee, reported favorably to the bill for the relief of R. R. Pickering and J. S. Terrell, executors, &c.

Which was read a third time and passed.

Mr. Davis moved to reconsider the vote postponing till Saturday next the bill to increase the fees of certain public officers.

Which motion was lost—yeas 9, nays 19.

Those who voted in the affirmative are, Messrs. Barnes, Brodnax, Clarke, Davis, Groce, Reavis, Rice, of Montgomery, Rice, of Jackson, and Toulmin—9.

Those who voted in the negative are, Messrs. President, Beeson, Cato, Coman, Critcher, Ervin, Garrett, Hammond, Hardwick, Harrison, Hill, Jackson, Ligon, Moren, McCall, Payne, Peacock, Porter and Wood—19.

Mr. Porter, from the judiciary committee, reported favorably to the bill for the benefit of the widow and children of Philip McGuire, deceased.

Which was read a third time and passed.

By leave, Mr. Rice, of Montgomery, introduced a bill to authorize Probate Judges to impress provisions in certain cases.

Which was read twice and referred to the judiciary committee.

Mr. Wood, from the committee on roads, bridges and ferries, reported favorably to the House bill in relation to working on public roads.

Mr. Groce moved to amend section 3 by inserting the word "male" before the word "slaves."

Which was adopted.

Also, adversely to the House bill of the same title.

Which was concurred in.

Mr. Hill delivered to the Senate the manuscript copy of the sermon of the Rev. Mr. Tichnor, delivered in the Hall of the House on 21st instant.

Leave was granted to withdraw the same with the view of putting it in the possession of the joint committee on the part of the House that the House might take such action upon it as they deemed proper.

Mr. Hill, from select committee, reported a substitute for the bill to provide salt for the indigent families of soldiers.

Mr. Coleman moved to amend by proviso as follows :

" Provided, No discrimination shall be made under this Act or under any other act in relation to the indigent families of soldiers from this State against the poor families of soldiers who would be destitute if they did not work, or who avoid destitution as far as they can by their industry ; but every such family shall share in the benefits of this Act and all other Acts of force conferring benefits on indigent families of soldiers from this State."

Which was adopted.

Mr. Rice, of Montgomery, moved to strike out the words "have been" in line 21.

Which was carried.

The bill was then read a third time and passed.

The caption was amended by adding the words "and for other purposes."

Message from the House by Mr. Clitherall.

Mr. President :

The House has originated and passed bills—

To fix the pay of the members and officers of the General Assembly.

To amend an Act to provide for the re-organization of the State penitentiary.

The House concurs in the Senate amendment to the House substitute for the Senate joint resolution in relation to Generals Holmes, Pemberton, &c., and amended the caption of the the same.

And refuses to concur in the amendment of the Senate to the bills to report an act to regulate the sale and exportation of corn.

The House concurs in the 2d and 4th amendments of the Senate to the House bill to contribute to the support of the indigent families of soldiers, &c.

And refuses to concur in the 1st and 3d amendments thereto.

The House has passed the Senate bill to allow Charles W. Oliver to marry.

Mr. Rice, of Jackson, introduced a bill to regulate the toll of grist mills in this State.

Which was read three times, forthwith, and passed.

Mr. Porter, from the committee on enrolled bills, reported the following as correctly enrolled :

For the relief of a person therein named.

To change the boundary line of the counties of Mobile and Washington.

To authorize M. McCorvey, Judge of Probate of Monroe county, to act as such in the settlement of the estate of Henry O. Abney, deceased.

To amend section 1748 of the Code so far as relates to Bibb county.

An Act for the relief of Wm. B. Robinson, of Tuskaloosa.

An Act to amend section 1934 of the Code.

An Act to authorize the Court of Probate of Chambers county to grant letters of administration upon the estate of James M. Kennedy, deceased.

An Act for the relief of the indigent families of soldiers in Washington county.

Message from the Governor by Mr. Taylor:

Mr. President :

The Governor has approved* the following bills which originated in the Senate, entitled :

An Act to repeal an Act to authorize the courts of county commissioners of Fayette and Morgan counties to levy a tax on dogs.

An Act to authorize circuit judges to hold special terms of the circuit court in certain cases.

An Act to repeal that portion of the revenue law which requires the tax collectors of the several counties of this State to furnish the tax payers a schedule of the property upon which tax is paid.

An Act supplementary to an Act to authorize the Confederate States to purchase and hold in Alabama a site for rolling mills, foundry, &c., for the manufacture of ordnance, &c. Approved November 17th, 1862.

On motion of Mr. Reavis, the vote adopting Mr. Barnes' substitute for the amendment offered by Mr. Jackson exempting class No. 1 in certain counties lying on the Tennessee river was reconsidered.

The Senate proceeded to the consideration of the militia bill. The question pending was on the adoption of the amendment offered by Mr. Clarke.

By leave, Mr. Clarke withdrew his amendment.

By leave, Mr. Barnes withdrew his amendment to Mr. Jackson's amendment.

The question then pending was on the adoption of Mr. Jackson's amendment.

Mr. Rice, of M., moved to amend Mr. Jackson's amendment by adding thereto the following: "And shall continue exempt until the Governor shall order otherwise. But in that case, the order of the Governor, whether extending to all or any number of said last mentioned counties, shall be obeyed and carried into full effect. And the Governor may exempt any portion of the State from the operation of this act, as to the 1st class, whenever he thinks proper, and for any length of time he deems fit."

Which amendment was adopted.

And Mr. Jackson's amendment as amended was also adopted.

Mr. Reavis moved to strike out sections 17 and 25.

Which was carried.

Mr. Rice, of M., moved to amend section 11 as follows: Add at the end thereof the words, "nor shall they be taken out of the county to which they belong without the assent of a majority of the company or organization to which they belong."

Which amendment, on motion of Mr. Reavis, was laid on the table.

Mr. Cato moved to amend the 3d section by inserting after the word "Alabama," in the 7th line, the following :

"Provided such officers are either judges of the Confederate Court, Judges of the Supreme Court, Chancery, Circuit or Probate Courts of this State, or over the age of 45 years, otherwise they shall constitute a part of Class No. 2."

Mr. Barnes moved to lay said amendment on the table ;

Which was lost—yeas 10, nays 18.

Those who voted in the affirmative are, Messrs. President, Barnes, Broadnax, Coman, Groce, Hill, Porter, Reavis, Rice, of Jackson, and Toulmin—10.

Those who voted in the negative are, Messrs. Cato, Clarke, Coleman, Critcher, Davis, Ervin, Garrett, Hammond, Hardwick, Harrison, Jackson, Ligon, Moren, McCall, Payne, Peacock, Rice of Montgomery, and Wood—18.

The amendment was lost—yeas 7, nays 22.

Those who voted in the affirmative are, Messrs. Beeson, Cato, Ervin, Hardwick, McCall, Peacock, and Rice of Jackson—7.

Those who voted in the negative are, Messrs. President, Barnes, Broadnax, Clarke, Coleman, Coman, Critcher, Davis, Garrett, Groce, Hammond, Harrison, Hill, Jackson, Ligon, Moren, Payne, Porter, Reavis, Rice of Montgomery, Toulmin and Wood—22

Mr. Reavis moved to amend section 13, by inserting after the word "board" in the 1st line, the words "if not less than two nor more than three," and strike out the word "of" after "board :

Which was adopted.

The bill was then read a third time and passed, and ordered forthwith to the House without engrossment.

Senate adjourned till 4. P. M.

AFTERNOON SESSION.

Senate met pursuant to adjournment.

Senate proceeded to the consideration of the bill.

To aid the Confederate Government in arresting deserters and others.

Mr. Reavis moved to fill the 1st blank with "25." and the 2d with "100,000," which was carried :

Also to insert the word "feed" before the word "harbor," wherever it occurs in section 10, which was carried.

The bill was read a third time and passed.

The House messages were then taken up.

The Senate insisted on its amendment to the House bill to

repeal an act to regulate the sale and exportation of corn ; and asked a committee of conference.

Messrs. Rice, Reavis and Toulmin on the Senate committee.

Senate insisted on its amendment to the House bill, to contribute to the support of the indigent families of soldiers. &c ;

House bill—To amend an act to provide for the re-organization of the State Penitentiary ;

Was read three times forthwith and passed.

House bill—For the relief of certain government contractors ;

Was read twice and referred to the judiciary committee.

House bill—To amend an act to provide for the support of the indigent families of soldiers, approved November 12, 1862 ;

Was read three times forthwith and passed.

House bill—To fix the pay of the members and officers of the General Assembly ;

Was read twice and laid on the table—yeas 19, nays 10.

Those who voted in the affirmative are, **Messrs. President, Barnes, Broadnax, Cato, Clarke, Davis, Garrett, Groce, Hardwick, Harrison, Hill, Jackson, Ligon, McCall, Porter, Reavis, Rice of Montgomery, Toulmin and Wood**—19.

Those who voted in the negative are, **Messrs. Beeson, Coleman, Coman, Critcher, Ervin, Hammond, Lewis, Moren, Payne and Peacock**—10.

Mr. Ligon, from the committee on Confederate Relations, to whom were referred sundry resolutions, reported a substitute for them, entitled,

Joint resolutions in relation to the increase of the army of the Confederate States ;

The substitute was adopted and the resolutions adopted.

Senate adjourned till 9 o'clock to-morrow morning.

FRIDAY, August 28. 1863.

Senate met pursuant to adjournment.

Prayer by the **Rev. Mr. Jordan** of this city.

Message from the Governor by **Mr. Taylor**.

Mr. President.

The Governor has approved of the following bills which originated in the Senate :

An Act to amend section 1748 of the Code so far as relates to Bibb county ;

An Act for the relief of **William B. Robinson**, of Tuska-loosa ;

An Act to authorize the Court of Probate of Chambers

county to grant Letters of Administration upon the estate of James M. Kennedy, deceased ;

An Act for the relief of indigent families of soldiers in Washington county ;

An Act to amend section 1934 of the Code ;

An Act to authorize M. McCorvey, Judge of Probate of Monroe county, to act as such in the settlement of the estate of Henry O. Abney, deceased ;

An Act to change the boundary line of the counties of Mobile and Washington ;

An Act for the relief of a person therein named.

Mr. Reavis presented a memorial in reference to a volunteer navy, which was referred to the military committee.

On motion of Mr. Broadnax, House bill to fix the pay of officers and members of the General Assembly, was taken from the table, read a third time, and passed.

Message from the House by Mr. Clitherall.

Mr. President :

The House has originated and passed a bill to pay for servant hire during the present session of the General Assembly.

The Senate proceeded to consider said House bill, which was read three times and passed.

Mr. Clark, from the committee on Finance and Taxation, reported favorably to the bill for the relief of Wiley J. Coleman, of Choctaw county ;

Which was read a third time and passed ;

Also, adversely to the bill to regulate the fees in the Comptroller's office.

Mr. Rice, of Montgomery, moved to amend the last clause by striking out "two" before the word "dollars," and inserting "one," which was adopted.

The further consideration of the bill was postponed till 10 o'clock to-morrow.

Message from the House by Mr. Clitherall.

Mr. President:

The House has passed the following Senate bills :

In relation to prisoners sent to the penitentiary from other States ;

To increase the compensation for printing the Supreme Court reports ;

Joint resolutions providing for the purchase of stationery and fuel ;

To prevent the distillation of potatoes and peas ;

To authorize executors, administrators, &c., in Russell county, to make publication in a newspaper published in Columbus, Georgia.

For the relief of R. R. Pickering and J. L. Terrell, executors, &c.;

To provide salt for the indigent families of soldiers, &c., and has amended said bills as therein shown.

Mr. Reavis, from the military committee, to which was referred sundry resolutions in relation to exemptions, reported a bill declaring who shall be exempt from military duty in this State;

Which was read twice.

Mr. Barnes moved to amend by inserting as follows: "all persons who are actually engaged in teaching school, and who have followed as a profession the calling of teaching for three years next immediately preceding the passage of this act; *provided*, that any time such person shall be in the Confederate or State military service shall be considered as embraced in the time. if such person was a teacher when he entered such service."

Mr. Harrison moved to strike out "three" and insert "five;"

Which was lost, and the amendment was adopted.

Mr. Reavis moved to amend by additional section to be numbered section 2.

Mr. Ervin moved to strike out the latter clause of the amendment, commencing with the word "and" in the 8th line:

Which was lost—yeas 6. nays 20.

Those who voted in the affirmative are, Messrs. Beeson, Brodnax, Coleman, Ervin, Groce and Ligon—6.

Those who voted in the negative are, Messrs. President. Barnes, Cato, Clarke, Coman, Critcher, Davis, Garrett, Harrison, Hill, Jackson, Moren, McCall, Peacock, Porter, Reavis, Rice of Montgomery, Rice of Jackson, Toulmin and Wood—20.

The amendment was adopted.

Mr. Rice of Montgomery moved to amend by adding the following proviso, which was adopted: "*Provided*, but one person making salt for a company shall be exempt under this act."

Mr. Garrett moved to strike out the clause exempting "ministers of the gospel," and insert as follows: "all licensed ministers of the gospel who are or shall be in charge of a church under appointment of the constituted authorities of said church."

Pending its consideration the Senate adjourned till 4, P. M.

AFTERNOON SESSION.

Senate met pursuant to adjournment.

Mr. Groce asked leave of absence for Mr. Moren the remainder of the session:

Which was granted.

Senate proceeded to the consideration of the question pending at adjournment, it being Mr. Garrett's motion to amend the "exemption" bill.

The amendment was lost.

Mr. Peacock moved to amend by striking out the clause relating to ministers of the gospel, and to insert as follows: "All ministers of the Gospel who are engaged in the actual discharge of their duties as such."

Which was adopted—yeas 14, nays 10.

Those who voted in the affirmative are, Messrs. Barnes, Beeson, Coleman, Coman, Critcher, Garrett, Groce, Hammond, Harrison, Hill, Lewis, Peacock, Reavis, and Rice of Montgomery—14.

Those who voted in the negative are, Messrs. President. Brodnax, Clarke, Davis, Jackson, Ligon, McCall, Payne, Toulmin and Wood—10.

Mr. Hill moved to amend section 2 by adding thereto, "Unless the company makes more than twenty bushels of salt per day and sells it at not more than fifteen dollars per bushel, in which case, two persons of said company may be exempt;"

Which was laid on the table.

Mr. Coleman moved to amend as follows: "One blacksmith in each beat, unless there is a negro smith working for the public in said beat, or some man not liable to conscription."

Mr. Harrison moved to amend the amendment as follows: "Provided that blacksmith has been engaged as such for two years;"

Which was adopted, and the amendment as amended was adopted.

Mr. Rice, of Montgomery, moved to amend as follows: "Necessary financial or produce agents of the Confederate States, so long as they are required by the Confederate Government to continue the business of such agency." "Necessary millers: the Governor shall determine who are necessary millers, if an appeal is taken to him;"

Which amendment was adopted.

Mr. Barnes moved to add "county treasurers:"

Which was carried.

The bill was read a third time and passed—yeas 20, nays 8.

Those who voted in the affirmative are, Messrs. President, Barnes, Beeson, Brodnax, Clarke, Coleman, Coman, Critcher,

Davis, Garrett, Groce, Hammond, Hill, Jackson Lewis, Peacock, Porter, Reavis, Toulmin and Wood—20.

Those who voted in the negative are, Messrs. Cato, Ervin, Harrison, Ligon, McCall, Payne, Rice of Montgomery, and Rice of Jackson—8.

Message from the House was received, announcing that the House had amended and passed the Senate bill to reorganize the militia of the State of Alabama.

The Senate concurred in the amendments of the House to said bill.

Mr. Ervin, from the committee on accounts and claims, reported adversely to the House bill, making appropriations to pay Joel White and B. B. Davis for stationery furnished the State, and to pay M. M. Nall.

The bill and report were laid on the table.

The Senate refused to concur in the House amendment to the Senate bill, to provide salt for the indigent families of soldiers, &c.

Mr. Rice of Montgomery, from the judiciary committee, reported favorably to the bill, to authorize probate judges to impress provisions in certain cases, with the following amendment: "Provided the provisions absolutely necessary for the support of a person's family shall not be impressed under this act;"

Which amendment was adopted, the bill read a third time, and passed.

Also, adversely to the House bill, for the relief of certain Government contractors;

Which bill and report were laid on the table.

Mr. Toulmin, from the military committee, asked to be discharged from the further consideration of the memorial of citizens of Macon county, &c.

Also of the petition of the probate judge of Talladega county, as the subjects are embraced in the bill to reorganize the militia.

The committee was so discharged.

Mr. Porter, from the committee on enrolled bills, reported the following as correctly enrolled:

A bill to incorporate the Ashly and Cahaba railroad company;

Joint resolutions of the General Assembly of Alabama in relation to the war between the Confederate States and the United States;

A bill to authorize Charles W. Oliver to marry;

A bill for the relief of R. R. Pickering and James L. Terrell

as executors of John D. Catlin, deceased, late of Marengo county;

A bill to increase the compensation for printing the supreme court reports;

Joint resolutions providing for the purchase of stationery and fuel.

A bill in relation to prisoners sent to the penitentiary of Alabama from other States;

A bill to prevent the distillation of potatoes and peas.

A bill to authorize executors, administrators, guardians and trustees of the county of Russell, to make publication in a newspaper of Columbus, Georgia.

Senate then adjourned till 9½ o'clock to-morrow morning.

SATURDAY, AUGUST 29, 1863.

Senate met pursuant to adjournment.

Prayer by Rev. Mr. Hill, of the Senate.

Mr. Reavis, from the committee on finance and taxation, reported favorably to the House bill to amend the revenue laws of this State in relation to auction sales, with an amendment, as follows :

1st. Strike out "two," in the 6th line, and insert "five."

2nd. add, at the close of the bill, as follows : "and a tax on cargo sales of imported goods run through the blockade, of \$25 in every \$100 of the gross amount of sales instead of \$2 as provided by said act."

The 1st amendment was laid on the table, the second amendment was adopted.

Mr. Rice of Montgomery, moved to amend by additional section as section 2:

Which was adopted.

The bill was read a third time and passed.

Message from the House, by Mr. Clitherall.

Mr. President :

The House of Representatives recedes from its amendment to the Senate bill to provide salt for the indigent families of soldiers, &c.

The House insists on its disagreement to the amendment of the Senate to the House bill, to repeal the act to regulate the sale and exportation of corn, and agrees to the committee of conference, and has appointed Messrs. Vanzandt, Magee and Nisbit, the committee on the part of the House.

The House recedes from its disagreement to the first amendment of the Senate to the House bill to contribute to the support of the families of soldiers, &c., and insists on its disagree-

ment with the third amendment, and has appointed **Messrs. Lawler, Benners and Magee**, the House committee of conference.

The House has passed Senate bills :

For the relief of **Wiley J. Coleman**;

To compensate the commissioner's court of **Choctaw county**; and has amended the same by adding the county of **Marion**;

For the benefit of the widow and children of **P. McGuire**;

To regulate the toll of grist mills ;

For the relief of **Ellen E. Robinson** and **Elizabeth Main**;

The House concurs in the report of the committee of conference, on the bill to repeal the act to regulate the sale and exportation of corn.

The House has originated and passed the following bills :

An act authorizing the probate court of **Autauga county** to grant letters of administration in a certain case.

An act to pay the secretary of the Senate, and clerk of the House of Representatives for services therein named.

Joint resolution as to publishing acts and journals of the present General Assembly.

The Senate adhered to its amendment of the House bill, to contribute to the support of indigent families of soldiers, &c.; and agree to the conference committee asked by the House. **Messrs. Reavis, Harrison and Rice** of **Montgomery**, were appointed on the part of the Senate.

House bills—

To pay the secretary of the Senate and clerk of the House of Representatives for services therein named;

To authorize the probate court of **Autauga county** to grant letters of administration on the estate of **A. B. Penick**, late of **St. Clair county** ;

Were severally read three times and passed.

The Senate concurred in the House amendment to the Senate bill, to compensate the commissioners of roads and revenue in **Choctaw and Marion counties**.

House joint resolution as to publishing the acts and journals of the present session of the General Assembly :

Were laid on the table.

Mr. Rice of **Montgomery** presented the account of **N. Becker**, for making keys for desks in Senate chamber ;

Which was referred to the committee on accounts and claims.

Mr. Garrett moved to take from the table the House joint resolutions, expressing the confidence of the General Assembly in **President Davis**, and in favor of increasing the pay of the non-commissioned officers and privates in the Confederate States army ;

Which was lost.

Mr. Rice, of Montgomery, from the conference committee on the bill to repeal an act to regulate the sale and exportation of corn, &c., reported, that a majority of the committee recommend the passage of the House bill without amendment.

On motion of Mr. Clarke, the report was laid on the table.

Mr. Porter, from the committee on enrolled bills, reported the following as correctly enrolled :

To provide salt for the indigent families of soldiers, &c.;

For the relief of Ellen E. Robinson and Elizabeth Main :

To compensate the commissioners of roads and revenue in Choctaw and Marion counties ;

For the relief of Wiley J. Coleman, of Choctaw county.

Message from the House by Mr. Clitherall.

Mr. President :

The House has originated and passed bills,

To amend an act incorporating the Alabama Direct Trade and Exchange Company ;

To authorize the Governor to appoint a commission to report upon the saline waters of the State.

Mr. Reavis, from the conference committee upon the bill to contribute to the support of the indigent families of soldiers, &c., reported that the committee had agreed to adopt the Senate amendment.

The report was concurred in.

By leave, Mr. Garrett introduced a bill to compensate the doorkeepers of the two Houses for the present session ;

Which was read twice.

Mr. Rice, of Montgomery, moved an additional section, number 2 ;

Which was laid on the table.

Mr. Rice, of Jackson, moved to add the following : That the assistant and engrossing clerks of the House, and the assistant secretary of the Senate, shall each receive two dollars per day in addition to the amount now allowed by law ;

Which was adopted, the bill read a third time and passed.

On motion of Mr. Jackson, the House bill making appropriations to pay Joel White and B. B. Davis, for stationery furnished the State, and to pay M. M. Nall ;

Was taken from the table, read a third time, and passed.

By leave, Mr. Barnes introduced a bill for the relief of securities who have paid money for their principals ;

Which was read three times, forthwith, and passed.

House bill to authorize the Governor to appoint a commission to report upon the saline waters, &c.;

Was read twice, and laid on the table.

Message from the Governor, by Mr. Taylor :

Mr. President :

The Governor has approved the following bills, which originated in the Senate :

An act to authorize Charles W. Oliver to marry :

An act to authorize executors, administrators, guardians and trustees of the county of Russell, to make publication in a newspaper of Columbus, Georgia :

An act in relation to prisoners sent to the penitentiary of Alabama from other States ;

An act to prevent the distillation of potatoes and peas :

An act to increase the compensation for printing supreme court reports :

An act for the relief of R. R. Pickering and James L. Terrell as executors of John D. Catlin, deceased, late of Marengo county ;

An act to incorporate the Ashley and Cahaba river railroad company ; Also,

Joint resolutions providing for the purchase of stationery and fuel ;

And joint resolutions in relation to the war between the Confederate States and the United States.

Message from the House by Mr. Clitherall.

Mr. President :

The House has passed the following Senate bills :

To provide for prosecuting and defending suits for persons of unsound minds ;

To amend an act to amend the revenue laws of this State.

And has amended the latter as therein shown.

The Senate concurred in said amendment of the House.

The Senate proceeded to consider the amendments of the House to the bill declaring who shall be exempt from militia duty.

The Senate refused to concur in 1st amendment, and concurred in the 2d, 3d and 4th amendments, and refused to concur in the 5th amendment, that is striking out section 2—yeas 8, nays 14.

Those who voted in the affirmative are, Messrs. Brodnax, Cato, Coleman, Ervin, Harrison, Ligon, Lewis and McCall—8

Those who voted in the negative are, Messrs. President Barnes, Beeson, Clarke, Garrett, Groce, Hardwick, Hill, Peacock, Porter, Reavis, Rice of Montgomery, Toulmin and Wood—14.

Senate then adjourned till 4, P. M.

AFTERNOON SESSION.

Senate met pursuant to adjournment.

Message from the House by Mr. Clitherall.

Mr. President :

The House recedes from its amendments to the Senate bill declaring who shall be exempt from militia duty ;

And concurs in the report of the conference committee on the bill to contribute to the support of the indigent families of soldiers, &c.

The House has passed the Senate bills :

To provide compensation for the door-keepers of the two Houses for the present session ;

For the relief of securities who have paid money for principals ;

To authorize Probate Judges to impress provisions in certain cases ;

Joint resolutions in relation to the increase of the army of the Confederate States ;

To provide for printing and distributing the acts and journals of the present session.

The House refuses to concur in the Senate amendments to the House bill to amend the revenue laws of this State in relation to auction sales.

Mr. Porter, from the committee on Enrolled Bills, reported the following as correctly enrolled :

For the benefit of the widow and children of Phillip McGuire, deceased ;

To regulate the tolls of grist mills in this State ;

To provide for prosecuting and defending suits for persons of unsound minds ;

To amend an act to amend the revenue laws of this State, approved December 8, 1862 ;

To re-organize the militia of the State of Alabama.

To provide compensation for the door-keepers of the two Houses, and other officers.

Message from the House, announcing that the House had amended and passed the Senate bill to aid the Confederate Government in arresting deserters and others.

Message from the Governor by Mr. Taylor.

Mr. President :

The Governor has approved the following bills which originated in the Senate :

An Act for the relief of Ellen E. Robinson and Elizabeth Main ;

An Act for the benefit of the widow and children of Phillip McGuire, deceased ;

An Act to compensate the Commissioners of Roads and Revenue in the counties of Choctaw and Marion:

An Act for the relief of Wiley J. Coleman, of Choctaw county;

An Act to provide salt for the indigent families of soldiers in the State of Alabama, and for other purposes;

An Act to regulate the toll of grist mills in this State;

An Act to provide for prosecuting and defending suits for persons of unsound mind;

An Act to amend an act entitled "An Act to amend the revenue laws of this State," approved December 9, 1862.

On motion of Mr. Harrison,

Resolved, That the thanks of the Senate are due to the Hon. Thos. A. Walker for the able, dignified and impartial manner in which he has presided over the deliberations of the Senate, and are also due the officers of the Senate for the prompt and diligent discharge of duty.

Message from the House by Mr. Clitherall.

Mr. President:

The House insists on its amendment striking in the 2d section of the Senate bill declaring who shall be exempt from militia duty in this State, and asks for a committee of conference; and has appointed Messrs. Benners, Parsons and Moulton as the House committee.

The Senate agreed to the committee of conference; and Messrs. Rice of Montgomery, Clarke and Hill were appointed.

Message from the House by Mr. Clitherall.

Mr. President:

The House has amended and passed the Senate bill to aid the Confederate Government in arresting deserters and others.

The Senate disagreed to the House amendment to said bill, and appointed Messrs. Reavis, Barnes and Toulmin a committee of conference, and asked for a like committee on the part of the House.

Mr. Rice from the conference committee on the bill declaring who shall be exempt from militia duty, reported that the committee recommend that all after the word class in the 8th line of section 2 be stricken out.

The Senate concurred in the report.

A message was received from the House announcing its concurrence in the report of the committee of conference on said bill.

A message was received from the House announcing that the House had agreed to the appointment of a committee of conference upon the bill to aid the Confederate Government

in arresting deserters and others, and that Messrs. Parsons, Chambers and Moulton compose the House committee.

Mr. Reavis, from said committee, reported that the committee had agreed to the House amendments.

The report was concurred in.

A message was received from the House announcing its concurrence in the report of the committee of conference on the bill to aid the Confederate Government in arresting deserters and others.

Mr. Porter, from the committee on Enrolled Bills, reported the following as correctly enrolled :

To authorize Probate Judges to impress provisions in certain cases.

Joint resolutions in regard to the increase of the army of the Confederate States.

Senate then adjourned till 9, P. M.

NIGHT SESSION.

Senate met pursuant to adjournment.

Message from the House by Mr. Clitherall.

Mr. President :

The House has adopted the following resolution :

Resolved, That a committee of three be appointed on the part of the House, to act with a like committee on the part of the Senate, to wait upon the Governor and inform him that the two Houses of the General Assembly having finished the business before them, are now ready to adjourn, unless he has some further communication to lay before them.

The Senate concurred in said resolution, and appointed Messrs. Ligon, Davis and Lewis as committee on the part of the Senate.

Mr. Porter, from the committee on Enrolled Bills, reported the following as correctly enrolled :

To provide for printing and distributing the acts of the present extra session of the General Assembly;

For the relief of securities who have paid money for principals;

Declaring who shall be exempt from militia duty in this State;

To aid the Confederate Government in arresting deserters and others.

Message from the Governor by Mr. Taylor.

Mr. President :

The Governor has approved the following bills which originated in the Senate :

An Act to provide compensation to the door-keepers and other officers of the Houses at the present session;

An Act to authorize Probate Judges to impress provisions in certain cases;

An Act for the relief of securities who have paid money for their principals;

An Act to provide for the printing and distribution of the acts of the present session of the General Assembly;

An Act declaring who shall be exempt from militia duty in this State;

An Act to aid the Confederate Government in arresting deserters and others.

Also, Joint Resolutions in relation to the increase of the armies of the Confederate States.

Message from the House by Mr. Elmore.

Mr. President :

The House has amended the resolution of the Senate proposing that the two Houses of the General Assembly adjourn *sine die*, this day, at 6, P. M., by inserting 10 o'clock.

The amendment of the House was concurred in.

Mr. Ligon, from the joint committee to wait upon the Governor, reported that the committee had discharged their duty, and that the Governor had no further communication to lay before the General Assembly.

Mr. Garrett moved that the Senate do now adjourn *sine die*, which was carried, and Mr. President declared the Senate adjourned *sine die*.

THOMAS A. WALKER,
President of the Senate.

Test :

MICAH TAUL, *Secretary.*

REGULAR SESSION.

MONTGOMERY, ALABAMA, }
Senate Chamber, November 9, 1863. }

This being the second Monday of November, the day fixed by law for the meeting of the General Assembly of the State of Alabama, the Senate assembled in its chamber at the capitol.

Upon the call of the roll, the following members were present :

Messrs. President, Barnes, Brodnax, Davis, Ervin, Garrett, Groce, Hammond, Hardwick, Harrison, Hill, Jackson, McCall, Payne, Peacock, Porter, Reavis, Rice of Montgomery, Toulmin and Wood—20.

Mr. Walker, the President elected at the late called session, stated that there was a doubt as to the right of the officers elected at the late called session to hold for a longer period than the session at which they were elected, he therefore resigned his position as President of the Senate, and took his seat upon the floor.

Mr. Toulmin was called to the chair.

Whereupon, the Senate proceeded to the election of a President.

Mr. Rice of Montgomery placed in nomination the name of Mr. Walker.

Mr. Walker alone being in nomination, and having received all the votes given, and a majority, was declared duly and constitutionally elected President of the Senate for the term prescribed by the Constitution.

Mr. E. A. Powell, Senator elect from the county of Tuscaloosa, appeared within the bar, was qualified, and took his seat.

On motion of Mr. Rice of Montgomery, a committee of three was appointed to wait upon Mr. Walker and inform him of his election ;

Messrs. Rice of Montgomery, Reavis and Harrison were appointed said committee.

The committee having retired, conducted Mr. Walker to the chair, who was qualified, and entered upon the discharge of the duties of the office.

The Senate then proceeded to the election of a Secretary

Mr. Micah Taul alone being in nomination, and having received 20 votes, it being the whole number cast, and a majority, was declared duly elected Secretary of the Senate for the term prescribed by the Constitution, and was qualified, and entered upon the discharge of the duties of his office.

The Senate proceeded to the election of an Assistant Secretary.

Mr. J. P. Morgan alone being in nomination, and having received 19 votes, it being the whole number cast, and a majority, was declared duly elected Assistant Secretary of the Senate for the term prescribed by the Constitution, and was qualified, and entered upon the discharge of the duties of the office.

The Senate then proceeded to the election of a door-keeper.

Mr. William McCullough and Mr. E. A. Heidt being in nomination.

Those who voted for Mr. McCullough are, Messrs. President, Barnes, Groce, Hammond, Hardwick, Hill, Jackson, Payne, Powell, Reavis and Toulmin—11.

Those who voted for Mr. Heidt are, Messrs. Brodnax, Ervin, Garrett, Harrison, McCall, Peacock, Porter, Rice of Montgomery and Wood—9.

Mr. McCullough having received a majority of the whole number of votes cast, was declared duly elected door-keeper of the Senate for the term prescribed by the Constitution, and was qualified, and entered upon the discharge of the duties of the office.

On motion of Mr. Rice of Montgomery,

Resolved, That the House of Representatives be informed that the Senate has organized by the election of the Hon. Thomas A. Walker, President ; Micah Taul, Secretary ; John P. Morgan, Assistant Secretary ; and William McCullough, Door-Keeper ; that the Senate has appointed a committee consisting of Messrs. Rice, Hammond and Garrett to act with a like committee on the part of the House, to wait upon the Governor and inform him that the two Houses are organized and ready to receive any communication he may have to lay before them.

On motion of Mr. Barnes,

Resolved, That the reporters of the different newspapers be invited to seats within the bar of the Senate.

On motion of Mr. Groce,

Resolved, That a committee of three be appointed, to act with a like committee on the part of the House, to wait on the clergy of the city, and request their attendance to open the Session of the two Houses of the General Assembly by prayer.

Messrs. Groce, Hill and Peacock, were appointed said committee.

A message was received from the House, by Mr. Clitherall, announcing that the House of Representatives has organized by the election of Hon. W. H. Crenshaw, speaker ; Albert Elmore, clerk ; A. B. Clitherall, assistant clerk ; F. Henshaw, engrossing clerk ; and M. M. Nall, door-keeper, and was now ready to proceed to business, and the House concurred in the resolution of the Senate proposing to appoint a committee of three on the part of each House to wait upon the Governor and inform him that the two Houses are organized, and ready to receive any communication he may have to lay before them.

Messrs. Bethea, Chambers and Ellis, are the committee on the part of the House.

On motion of Mr. Barnes,

Resolved, that the usual standing committees of the Senate be appointed by the President, to wit :

On the Judiciary ; on Banks and Banking ; on Confederate Relations ; on Propositions and Grievances ; on Sixteenth Section, and Sixteenth Section Fund ; on Education ; on Retrenchments ; on Accounts and Claims ; on Penitentiary ; on Agriculture ; on County Boundary ; on State Printing ; on Roads Bridges and Ferries ; on Military ; on Enrolled Bills ; on State Capitol ; on Corporations ; on Finance and Taxation ; on Inland Navigation and Internal Improvements ; on Privileges and Election ; on Engrossed Bills ; on Public Lands ; on Insane Hospital.

On motion of Mr. Hill,

Resolved, That two additional committees be appointed, to wit :

A Committee on Salt Supply ;

A Committee on the Supply of Cotton and Wool Cards.

Message from the Governor, by his private secretery, Mr. J. B. Taylor.

Mr. President,

I am instructed by the Governor to deliver his Annual Message to the General Assembly of the State of Alabama.

EXECUTIVE DEPARTMENT.

MONTGOMERY, ALA., November 9th, 1863. {

Gentlemen of the Senate and House of Representatives :

I congratulate you that, amid the calamities which have befallen other States, the General Assembly have been permitted again to convene in annual session at the Capitol of Alabama, and, undisturbed by the enemy, to discharge their high duty as law-makers for the people. Though threatened by an implacable foe, who has ravaged portions of our territory in a vain attempt at our subjugation, we should feel profoundly grateful to God for the immunities which, as a State, we have thus far enjoyed, and invoking His continued protection, should gather new courage and resolution to maintain our confederate cause, until we shall have achieved a final and complete independence.

STATE TREASURY.

The balance in the Treasury to the credit of the Civil Department, at the close of the fiscal year, ending on the 30th September, 1862, was.....\$ 387,358 20
The receipt during the past year, from all sources,
have been..... 5,924,542 98

Making an aggregate of\$6,311,901 18
The disbursements during the past year have
amounted to..... 3,897,349 32

Leaving a balance of.....\$2,414,551 86
to the credit of this Department at the close of the fiscal year,
ending on the 30th September, 1863.

The balance to the credit of the Military Department, at the close of the fiscal year ending on the 30th September, 1862, was.....\$ 158,826 74
The receipts during the past year, from all
sources, have been..... 1,878,413 43

Making an aggregate of.....\$2,037,240 17
The disbursements during the past year have
been..... 1,884,910 05

Leaving a balance of.....\$ 152,330 12
to the credit of this Department, at the close of the fiscal year,
ending on the 30th September, 1863.

The quantity of change bills issued by the State, and presented at the Treasury for redemption, adds greatly to the work in the Treasurer's office. The examination and count-

ing of the bills require much time and labor, and to perform this task an additional clerk should be allowed. Many of the bills returned are so mutilated that they are unfit for further use, and the number will be constantly increasing. A suitable safe should be ordered for their preservation, or they should be registered and burned.

For particular information as to the operations of the Treasury, you are referred to the full and satisfactory report of the Comptroller and Treasurer.

MILITARY APPROPRIATIONS.

The unexpected balance of Military appropriations remaining in the Treasury amount to the sum of \$3,633,117 27. Some of these will never be needed for the particular objects named in the several acts, and for this reason, as well as to simplify the accounts in the office of the Military Auditor, and to provide against a possible exhaustion of the sum appropriated for any special and needful purpose, I recommend that all the unexpended balance of military appropriations be consolidated into one military fund, and that the Governor be authorized to draw his warrant upon the Auditor, specifying in the warrant the purpose of the draft, and directing that the amount be charged to the Quartermaster, Commissary, Pay, Ordnance or Medical Department, as the occasions may require. This arrangement will dispense with the necessity of making special appropriations to Hospitals or other purposes which may not be needed, or which may prove insufficient, leaving the Governor the discretion and power to make due provision by warrants on the general military fund as the public welfare may require. It is believed also that if all the expended balance are consolidated there will be no necessity for further appropriations for military purposes during the next year.

REPORTS OF THE COMMISSIONERS TO EXAMINE STATE OFFICES AND CHARTERED BANKS.

The General Assembly, at its last annual session, directed the Governor to appoint three commissioners to examine the books, accounts and vouchers of the Comptroller, Treasurer and Superintendent of Education, Quartermaster and Military Auditor. Under this authority I appointed S. D. Hubbard, A. R. Bell and Thomas B. Maddox, who have discharged the duty assigned them. Their report is herewith communicated, certifying the correctness of the financial accounts of all these officers, and advising that "their books and papers are regularly, systematically and well kept." Your attention is invited to the large number of interest coupons which have been paid by the State, and remain on file in the office of the Comptroller,

and to the recommendation of the commissioners, in which I concur, that these coupons should be defaced or destroyed.

Commissioners have been likewise appointed to examine and report the condition of the various chartered Banks within the State, as directed by their respective charters. The several reports of these commissioners, excepting those appointed to examine the Northern Bank, have been received, and are herewith submitted for your examination.

THE CONFEDERATE WAR TAX FOR 1861-2.

The portion of the war tax which might be found due by the people of Alabama under the Act of the Confederate Congress of August 19th, 1861, was assumed for the State by the General Assembly, by an Act approved Nov. 29th, 1861. In the Spring of 1862, when, under the provisions of the law of Congress, the advance payment had to be made, the assessments had not been completed throughout the State, and for this cause the aggregate amount of the tax could not be ascertained.

It was estimated, however, that \$2,000,000 would cover it, and by agreement with the Secretary of the Treasury that amount was paid by the State, subject to correction when the assessment should be completed. Owing to local disturbances occasioned by the public enemy, the returns of assessments for the counties of Winston, Lawrence and Franklin have not yet been received at the office of the State Collector. The aggregate assessments, exclusive of these counties amount to \$2,298,297 47—a sum larger than was anticipated. By the provisions of the Act of Congress, the State is entitled to a credit of ten per cent. on the amount of the tax, which will still leave a balance of near \$100,000 to be paid by the State on the final settlement of the account.

INDIGENT FAMILIES OF SOLDIERS.

At your extra Session in August last an appropriation was made of \$1,000,000 for the support of indigent families of soldiers, to be paid out during the months of October, November and December, but the General Assembly omitted to provide the funds to meet this appropriation. The Treasurer, under the Executive sanction and advice, has, however, undertaken to pay the first instalment from balances in the Treasury of other and former appropriations, which it was believed would not be called for before due provision could be made. It will become your duty at the present session to make further appropriations for soldiers' families during the next year, and to determine the mode of raising the means to meet them. Whether a resort shall be had to further sales of State bonds, or issue of treasury notes, or to increase of taxes, is a question submitted to the wise discretion of the General Assembly.

IMPRESSMENTS FOR THE PUBLIC DEFENSE.

Under the Act of October 31st, 1862, "To provide for the public defense," a large number of tools, wagons, teams and slaves were impressed to construct works for public defense in North and South Alabama. The execution of this law was entrusted to agents commended for their intelligence, firmness and impartial will, and they were instructed to use every reasonable precaution to distribute its burdens with fairness and equity. Though many complaints have been urged against the assessments, I entertain no doubt that the assessment agents have, in most instances, performed their duty as faithfully as could have been expected of men charged with the execution of such a difficult and thankless office. A portion of the property impressed was employed under the immediate direction of the State authorities, upon the Alabama and Tombigbee rivers, and for the use of all thus employed, settlements have been made by the State. All other property impressed was taken on requisition of the Confederate military commanders within the State, and turned over to the Confederate Engineer department, to be employed under its superintendence and direction. Every provision in the power of the Executive was made to secure the health and humane treatment of the slaves, and for the prompt discharge and return of the slaves and other property to their owners. But the irregularity of discharges, the loss, and the detention of property beyond the time limited for its return in the Executive order, the failure to give needful attention to slaves when sick, and the manifest inaccuracy of the pay rolls as reported by the Engineer Department, have occasioned much dissatisfaction. This is to be regretted, as it is a matter of the first importance that the Confederate authorities within the State should so discharge their obligations to the people as not to impair but to secure the public confidence. The Quartermaster-General has been directed to adjust the accounts with the Engineer department for all the property impressed under the State law, and by reference to the receipts of the State impressment agents, to correct the pay rolls, and settle with owners as justly as possible.

No provision was made in the State impressment Act to pay for mules or slaves impressed, and which may have been lost to their owners, without any neglect or fault of their owners. The State Constitution forbids that "*any person's property be taken or applied to public use, unless just compensation be made therefor.*" Tools, wagons, mules, negroes and provisions have all been impressed as property, under the law of the State, and have been applied to the public use ; where the property

has been returned, "just compensation" to the owner is a fair equivalent for its temporary use. If the property has been consumed, or destroyed, or lost, in consequence of its appropriation to the public use, and without any dereliction or fault of the owner, "just compensation" can be nothing less than its fair equivalent in value.

The Constitution of the Confederate States also forbids that "*private property be taken for public use without just compensation.*" Hence the Confederate Congress, in the 8th section of of the Impressment Act of March 26th, 1863, have provided that "when property has been impressed for temporary use, and is lost or destroyed without the default of the owner, the Government of the Confederate States shall pay a just compensation therefor, to be ascertained by appraisers appointed and qualified as provided in the first section of this Act. If such property, when returned, has, in the opinion of the owner, been injured while in the public use, the damage thereby sustained shall be determined in the manner described in the third section of this Act." And for the proper execution of this Impressment Act of Congress, a "General Order No. 138," was issued by the War Department, dated October 24th, 1863, which directs that "the value of all such slaves as may die during their term of service or thereafter, from injuries received or diseases contracted in such service, or may not be returned, shall be paid by the Confederate States. * * * Compensation shall also be made for all injuries to slaves arising from the act of the public enemy, or from any injury arising from a want of due diligence on the part of authorities of the the Confederate States. But the Confederate States will not be liable for any slave not returned by reason of fraud or collusion on the part of the owner or his agent, or the overseer selected by him to superintend them, nor if his death should be caused by the act of God, or by disease existing when the slave is received by Confederate authorities." The order further directs how the valuation and appraisalment shall be made.

In the construction of the extensive and magnificent works erected for the defense of the State, and which, in the opinion of those best calculated to pronounce judgment upon them, are equal, if not superior to any within the Confederacy, not less than twelve or fifteen thousand slaves have been employed, besides a very large number of wagons and teams. That losses of property would have occurred from diseases contracted while in the public service, and from casualties almost inseparable from the nature of its employment, might have been reasonably anticipated. Shall these losses be visited upon the individual owners of the property thus used, when it was seized by the

public law and appropriated for the common protection and defense of the whole State? The Constitution—State and Confederate—answers the question. The Confederate Government has not only recognized but is striving to perform the obligation imposed by it. This obligation is equally binding upon the State Government of Alabama, and whether the liability it imposes be small or great, the mandate of the Constitution should be obeyed. It should never be recorded in history that, while the reserved rights of the people were maintained by the Confederate Government—the mere creature of the States—they were abjured and repudiated by the State Governments, which were primarily bound to respect and vindicate them.

The principal loss of property has been during its employment by the Confederate Government, and in consequence of such employment, and that Government is in good faith bound to make "just compensation," for, although the property was impressed under the law of the State, the impressment was enforced to meet the requisition upon the State by the Confederate military commanders within its limits. Those losses which occurred prior to the passage of the impressment Act of Congress, of March 26, 1863, and more certainly those which have occurred since that date, and while the property was in the employment of the Confederate Government, fall within the spirit and plain intent of that act. But they cannot now be settled under the instructions given in the "General Order No. 138," from the War Department. It cannot be doubted, however, that the Confederate Government will make due provision for their payment, and also refund to the State whatever sum it may advance for such other losses as may have occurred in the construction of military defenses under State direction.

The adjustment of these losses by citizens of Alabama of their private property taken and applied to the public use, is submitted for your determination. Should the General Assembly decline, in the present emergency, to make further provision for their settlement, I recommend the appointment of one or more commissioners, with authority to audit and receive proof of all claims which may be presented, verifying the same as directed by the Act of Congress of August 30th, 1861. "To perpetuate testimony," so that the evidence of the same may be preserved for future consideration and adjustment by the State or the Confederate Government.

MILITIA.

As required by the Act of August 29th, 1863, "To reorganize the militia of the State of Alabama," immediately upon

the adjournment of the extra session of the General Assembly I appointed a Special Aid in each county in the State, and forwarded to each, through the Adjutant General, a printed copy of the Act, and full instructions as to their duties under it. Partial returns only of the enumerations have been as yet received, and for this reason it is not possible to report accurately the number of the State militia embraced in class number two, nor the number of the County Reserves to be enumerated in class number one. The returns, however, which have been made, indicate that a very large proportion of class number two is composed of those who have been discharged from Confederate service by reason of substitution. The decision of the Executive, heretofore announced, that this class of citizens was liable to militia duty, upon the call of the President of the Confederate States, has been fully sustained by an adjudication of the question before the Supreme Court of the State, made since your adjournment, and which received the unanimous concurrence of all the judges.

The practical experience afforded by the enumeration under the Act, and a more careful examination of its provisions, have developed defects which I deem it proper to call to your attention, and which, in my judgment, should be remedied, in order to attain the important objects contemplated by a reorganization of the militia. One of these defects is to be found in the organization provided by the fourth section of the Act. Under the former system the militia was distributed into divisions, brigades, regiments, battalions and companies, with the commissioned and non-commissioned officers assigned to each subdivision, whom experience had shown to be necessary to reach the highest degree of efficiency. It was uniform throughout the State in all its essentials, and corresponded in its general details with that of the militia of the other States, as well as the armies of the Confederacy. This organization is destroyed by the Act of the last session, so far as it relates to the militia proper, as distinguished from volunteer companies, except in the case of a call by the President for the militia for Confederate service; and in its place is substituted an entirely different organization, which, however well adapted it may be for some of the purposes for which small bodies of militia may be needed, will, it is to be feared, be found inadequate to oppose successfully the dangers we have reason to apprehend, and against which it is our first duty to provide. This organization secures nothing approaching uniformity, even in commands of the same grade. Under its operation, an officer in one county designated and commissioned as Colonel, with a command of more than six hundred, and

with every officer he is entitled to under the Act, may have no Lieutenant Colonel, Major or Captain; while in an adjacent county, a Lieutenant Colonel, with a smaller command, may have two Majors and a Captain. These may be extreme cases, but judging from the returns received, it may be safely assumed that the commands of field officers, or even of Captains, will rarely correspond in the number and grade of their inferior officers. It will be readily perceived that this want of uniformity, in cases where the militia of several counties might be acting together, would present insuperable obstacles to their efficiency. Even with the county reserves, whose services are limited to the confines of their respective counties, this deficiency or excess in the higher or lower grade of offices might be severely felt, whenever they were arrayed against well organized and trained troops, while in the case of the militia, acting in the State service, in larger bodies, and upon a more extended field of operations, it would be only the more clearly seen, and might occasion calamitous results.

Another defect in the Act is found in the fourth section, which, while it requires all officers of the same class in a county to be elected on the same day, gives no direction by which the relative rank of officers of the same grade, and whose commissions bear the same date, shall be determined. In the transmission and execution of orders, and indeed in every department of military service, it is essential to subordination and discipline that the relative rank of the officers, acting together with one common object, and in the same arm of the service, should be clearly and accurately defined. It may be, that in the absence of any law to determine these questions, the commander-in-chief would possess the authority, but the doubts which exist as to his power in this particular, suggest the propriety of expressly conferring it upon him, or of adopting by legislation, some equitable rule admitting of general application.

I call your attention also to the provisions contained in the 9th section of the Act. This section directs that whenever a requisition for the militia shall be made upon the Governor by the president of the Confederate States, "the Governor shall apportion the number of militia required, among the different counties, in proportion to the enumerated militia therein, and make a requisition therefor upon the several county commanders of the State militia." If this provision is to be literally construed, it will be impossible to take the first step towards meeting a requisition until the returns from every county in the State shall have been received. No apportionment can be made in any county until the returns shall have been received

from all. If, from the invasion of the enemy, or any other cause, the enumeration cannot be made in any one county, so long as the cause, whatever it may be, exists, the requisition is defeated, and the obligations of the Confederate Constitution practically denied. The only means, by which the Executive of the State is authorized to enforce these obligations, cease at the moment when the exigency most requires their ready operation. The power conferred by the States upon Congress to provide for calling forth the militia is a vital power. It was given to preserve the public safety, and while, as a general rule, the principle of distributing burthens of this character as equally as may be upon the arms-bearing population is a just one, there are cases continually arising, in a war like the present, in which the application of the rule would defeat the very object which the power was designed to secure. It might not always be possible to raise the force required by taking its due proportion from every county in the State in time to meet the exigency for which it was demanded. It might not always be expedient to do so in every instance. The number of troops required, and the exposed condition of certain portions of the State, as is now the case, might call for a just and sound discrimination. True policy and wisdom would seem to dictate that the means to be employed in the exercise of the power should be as comprehensive as the dangers it was its purpose to repel, and that the power should be executed so as best to accomplish the great ends for which it was conferred. These can be best attained, not by adopting a fixed and rigid rule, extending over the area of the entire State, without reference to the number of troops required, or the imminency of the peril, but by referring to the discretion of the State Executive, as the commander-in-chief of the militia, the adoption of that mode which, in the particular emergency, might be found most practicable and judicious.

I press these considerations the more for the reason that, while other States have long since responded to the call which was made upon them by the President, in the month of June last, Alabama, from the inefficiency of her militia system, has as yet given no answer to that call, and has, for the first time since the commencement of the war, failed to respond promptly to the demand made upon her in support of the common cause. Her constitutional obligations, her interests and her honor demand that this requisition shall be met, and met without delay, and her ability to meet it, without materially impairing her resources in other directions, is demonstrated by the returns of the enumerations which have been already made.

It was scarcely to be expected that in the first attempt to reorganize and simplify a deranged and complicated system, grave errors would not have been committed ; and longer experience in the practical workings of the Act may discover other than those which I have thought proper to bring to your notice, and which, if corrected by the necessary amendments, will, it is believed, impart to the new system as much vigor and efficiency as the material upon which it is to operate will allow.

SALT.

At the last regular session of the General Assembly two acts were passed to increase the supply of salt, numbered 38 and 39, and severally approved Dec. 19th, 1862. Act number 38 ratified and confirmed all contracts which had been previously made by the Executive for the purchase, manufacture and transportation of salt, authorized him to make other contracts, and to continue the manufacture of salt upon the salt lands of the State, to appoint a salt commissioner to superintend the works, and fix his compensation at not exceeding \$2,500. The fourth section of this act directed the distribution of the salt manufactured or purchased, and its sale "*to the inhabitants of this State at prices not to exceed the cost of manufacture or purchase, and sacking, with other incidental expenses added.*" Under the authority of this act, A. G. McGehee, who, under the Executive appointment, had inaugurated the State salt works, was continued as commissioner, and his salary fixed at \$2,500. The act number 39 authorized an additional advance of \$10,000 to John P. Figh, lessee of the lower salt reservation, to enable him to increase the production of salt, and change the terms of his prior lease, removing all restrictions upon him as to prices, on condition that he should relinquish the bonus of ten cents per bushel allowed by the act of Nov. 11th, 1861, and deliver to the State, at the place of manufacture, two-fifths of all the salt to be thereafter manufactured by him. These terms were duly accepted by the lessee, and the advance of \$10,000 was paid him as provided by the act.

The fifth section of the act directed "That the Governor shall cause the salt he may receive under this act from said lessee, John P. Figh, or from any other lessee of this State, to be distributed among the counties according to their population ; the salt for each county to be placed under the control of its court of county commissioners, who shall distribute the same among the citizens of the county, according to their actual wants, giving a preference to families of soldiers in the military service of this State or of the Confederate States ; and

the Governor shall only charge such price for the salt thus distributed as he deems just and fair."

The distribution and sale of the salt manufactured by the State, as well as the portion received from John P. Figh and other lessees, were committed to the superintendence of the Quartermaster General at Mobile. An agent was appointed to reside at the works to ship the salt received from the lessees, and the price of this salt was fixed by me at two dollars and fifty cents per bushel of fifty pounds, delivered in the various counties to the order of the county commissioner. Copies of letters of instruction to the Salt Commissioner, the Quartermaster General, county agents, Probate Judges and John P. Figh, herewith submitted, will fully explain the plans of salt distribution under the several acts of the General Assembly. I also submit the report of the Salt Commissioner, giving in detail the operations of the salt works under his direction.

By the contracts made in 1862, with McClung & Jacques and the Alabama Salt Manufacturing Co., for the delivery of salt at Saltville, Va., the price was fixed at \$1 75 per bushel. During the last spring I was notified by the contractors that, on account of the increased price of wood, which had advanced from \$5 per cord at the date of their contract to \$20 and \$30 per cord, and the advance in like proportion of provisions and other supplies needed to carry on their works, they would not be able to manufacture the salt at their contract price. Satisfied on examination of the facts that the contractors were acting in good faith, and that the State would lose the benefit of a supply of salt from this source for the North Alabama counties, unless the price was raised so as to induce a continuance of the supply, I made a new contract with the companies by which they were to receive \$3 50 per bushel, copies of which contracts are herewith communicated.

Owing to the interruption by the enemy of our railroad connections with Saltville, and to the monopoly of transportation by the Confederate Government while the connections were complete, the shipments of salt from that locality have been very irregular and greatly delayed. Agents of transportation have been sent upon the line to attend the shipments and forward them with all possible dispatch, but it has been with the greatest difficulty that they have succeeded in getting through the supplies which have reached the North Alabama counties.

During the last spring I sent an agent to New Iberia, in the State of Louisiana, to negotiate for salt at that locality. He succeeded in procuring and bringing into the State 3,000 bushels of rock salt. Favorable terms were also obtained

securing to the State the right of mining salt to an indefinite extent, and I succeeded in closing a contract with responsible parties to work the mine for the benefit of the State, but the military successes of the enemy in the Mississippi valley have deprived us thus far of the benefit of this arrangement. A copy of this contract is herewith submitted.

In addition to the supplies to be derived from the State works and leases in Clarke county, and from Saltville, I have succeeded in making sundry small contracts for the manufacture of salt upon the coast of Florida. A memorandum of these is furnished for your information.

From the reports on file in the Executive office, the State works have yielded 34,028 bushels during the past year, of which 7,263 have been distributed by the Quartermaster General, the balance having been exchanged for labor, provisions and other expenses, as shown in the report of the salt commissioner. From the works of John P. Figh, 8,687 bushels have been received, while the receipts from Saltville have amounted to 41,750 bushels, of which one half only has as yet reached the State. The aggregate amount received by the State from all sources during the past twelve months has been 90,488 bushels.

By the Act of 29th August last, the General Assembly directed that all the salt received by the State should be appropriated to the families of soldiers exclusively until their wants were supplied. Having adopted this policy, I submit if it would not be best to fix the price at an average of cost, including transportation and other charges, and make it uniform in every county in the State. Under the present rules as prescribed in the Acts of December 9th, 1862, the salt manufactured or purchased is sold at cost and charges. These vary in almost every county, while the salt received from the State lessees is sold at \$2 50 to \$3 per bushel delivered in the respective counties. As this liberal provision is being made for the benefit of our soldiers, there is no good reason why they should not all share alike, and be allowed to purchase at the same uniform price.

SPINNING CARDS.

The General Assembly, by an Act approved Nov. 8th, 1862, appropriated \$60,000 for the purchase of spinning cards. This appropriation fell far short of the necessities of the State. At the date of the Act, spinning cards were selling in our markets at from ten to fifteen dollars per pair, and at the lowest price the sum appropriated would have furnished only six thousand pairs. None, however, could be purchased in the Confederacy, and they had to be ordered from abroad. Im-

mediately upon the passage of the Act I invested \$36,400 in sterling exchange, as authorized by the Act, and remitted an order to Nassau through the well known house of John Fraser & Co., of Charleston. During the ensuing spring, and after many delays, I received, by four separate shipments into Charleston and Wilmington, 5,876 pairs of cotton and wool cards. In the meantime engagements were made with several other parties for deliveries in the State of such additional quantities as would probably cover the balance of the appropriation, to be paid for on delivery, but these engagements were not complied with by the parties making them.

The cards imported from Nassau were delivered to the Secretary of State, and by him distributed to the Probate Judges of the several counties, in proportion to population, to be sold at prices varying from \$3 50 to \$9 per pair, to cover cost and charges, as the law directs.

Copies of correspondence and invoices, and of contracts made, and of the report of the Secretary of State, are herewith communicated.

In the month of March last I purchased of J. M. Keep, of Selma, on behalf of the State, a half interest in a card machine invented and constructed by himself, and contracted for the manufacture of additional machines to be operated on joint account with the State. With ordinary facilities a half dozen machines could have been finished and put in operation several months since, but the unavoidable hindrances which have attended their construction have greatly retarded their completion. One machine for the manufacture of wool cards and two for cotton are finished, another will be ready in a fortnight, and three others are far advanced towards completion. Machinery and plates have also been constructed for drawing the wire, and a large quantity of suitable hides and other material has been accumulated, sufficient to manufacture ten or twelve thousand pairs of cards. A suitable engine has also been provided to drive all the machinery for the drawing of the wire, setting the teeth and making the wooden backs by steam power. Over nine hundred pairs of cards have been made in the establishment by hand power. These have been exchanged and bartered for hides and other materials needed. So soon as the half-dozen machines are finished and put in operation, it is confidently believed that the establishment will turn out from seven to nine hundred pairs of cards per week. A sample of the cards, just received from the factory, is submitted for your inspection. I also submit a copy of the contract made with Mr. Keep, a copy of his report, and also a copy of a report filed in the Executive office by Dr. Charles Lucas, whom

I deputed recently to visit and examine the factory, which explains more fully the condition and prospects of this establishment. Dr. Lucas closes his report by saying, "I regard the enterprise as a perfect success, and believe that it will shortly contribute largely to the relief of the people of Alabama who are so severely suffering for the want of cotton and wool cards." I was not authorized by the Act of Nov. 8th, 1862, to make this investment on behalf of the State, but seeing the inadequacy of the appropriation made by the Act to furnish the State with cards, and also observing the rapid advance of foreign exchange, and the increasing difficulties, at greatly increased cost, of transportation through the blockade, I deemed it a matter of prime importance to secure a permanent establishment within the State of a card factory, which, with every necessary material at hand, would render the State independent of foreign markets, and furnish cards to the people at a price several hundred per cent. cheaper than they could be otherwise obtained. I trust that the engagements made in behalf of the State may be ratified and confirmed by the General Assembly.

DISTILLERIES.

The "Act to prohibit the distillation of grain in the State of Alabama except under the direction and authority of the Governor," approved Dec. 8th, 1862, "provided that it shall not be lawful for any person, during the existing war, to distill or convert into intoxicating liquor any grain, or the product of any grain, unless hereafter employed or authorized by the Governor to do so." The act imposed upon the Governor the duty, *on behalf of the State*, under such regulations as he might prescribe, to cause such an amount of grain to be distilled as, in his judgment, might be consistent with the general welfare, empowered him to make contracts and appoint agents to carry out the objects of the Act, and to prescribe the manner and purposes of distribution of the spirits obtained, and directed that the net profits which should be realized by the State "should be applied by future legislation to the relief of indigent families of soldiers."

In discharge of the duties imposed by this Act, I announced by proclamation under date of Dec. 24th, 1862, the terms and conditions on which contracts would be made and licenses issued. Subsequently agents were appointed at the different places of delivery to receive, pay for and sell the spirits. The sales were restricted to medical, chemical and manufacturing purposes. Copies of this proclamation, and of my circular letter of instructions to the State agents are herewith communicated. I also submit a statement of the contracts made on

behalf of the State, and a memorandum showing the names of persons licensed under contracts with the Confederate authorities.

Under the State contracts whisky is delivered at two dollars and fifty cents per gallon, and alcohol at four dollars and fifty cents per gallon, and the State agents are instructed to sell whisky at ten dollars per gallon and alcohol at fifteen dollars per gallon. The whole amount contracted for to the present date is 42,911 gallons of whisky, and 8,506 gallons of alcohol. Some of the contractors are behind in their deliveries, but by the terms of their contracts the deliveries are to be completed by the first day of January next, and the contracts are all guaranteed by sureties whom Judges of Probate have certified to be amply sufficient. The net profits which these contracts should yield the State, after deducting all expenses of the agencies, will amount to not less than *four hundred thousand dollars*, which will be a handsome addition to the fund for the support of indigent families of soldiers.

PENITENTIARY.

I submit for your examination the highly satisfactory reports of the officers of the Penitentiary. The health of the convicts during the past year has been unusually good, and the entire operations of the prison have been most successfully conducted.

The net earnings during the past year, ending on the 30th Sept., 1863, have been \$75,837 21. The operative stock on hand, with the machinery, provisions, &c., is valued at \$44,504 24, against \$12,465 24 on the 30th September, 1862, showing an increase in value of stock of \$32,039. Adding this increase of stock to the nett earnings of \$75,837 21, and it will appear that the gross earnings during the year has been \$107,876 43.

Since the death of the late lessee, and during the eighteen months prior, to the 1st October 1863, under the State direction, the prison has paid into the State Treasury,	\$ 80,000 00
It now has on deposit in the Central Bank,	21,103 03
And cash in hands of Warden,	2,119 18
Showing a total of cash assets of	103,222 21
Add value of stock on hand,	44,504 24

and we have the sum of \$147,726 45
as the total earnings during the past eighteen months.

The Inspectors report that the salaries paid to the officers of the Penitentiary are inadequate to the support of their families; and I recommend an increase of their salaries during the present fiscal year.

In the month of May last I was addressed by His Excellency

John J. Pettus, Governor of the State of Mississippi, advising me of the necessity for a removal of certain convicts in the Penitentiary of that State, at Jackson, and asking me to admit them for safe custody into the Penitentiary at Wetumpka. His application was granted, and the convicts, twenty-five in number, were immediately forwarded, and have been kept securely in close confinement. The expenses of their guard and maintenance have been paid out of the funds of the prison, and have to this extent increased its expenditures. The account of these expenses remains for future adjustment with the State of Mississippi. A copy of the correspondence with Gov. Pettus is herewith furnished you, and I trust that my official action in this particular may meet your approbation.

INSANE HOSPITAL.

I herewith communicate the third annual report of the Trustees and Superintendent of the Insane Hospital at Tuscaloosa. The success of this institution, in all its departments, has been such as to produce the liveliest satisfaction. It has been in operation only two years, but even in this brief period, its beneficent influence has been seen and felt throughout the State. The building, in its whole internal arrangement and adaptation, is unsurpassed by any other in the Confederacy, and the Trustees have been most fortunate in securing the services of a Superintendent and other officers who thoroughly understand their mission, and whose humane and devoted labors must yield the happiest results. Since the opening of the institution in July, 1861, one hundred and six patients have been received. Eighty-four have been under treatment during the year ending October 20th, 1863. Of this number, sixteen have been restored to reason, three discharged much improved, and seven have died. The daily average of patients during the year has been forty-nine, and fifty-five now remain in the building. I recommend that these interesting reports be immediately printed for the use of the General Assembly, and for extensive circulation in the State.

UNIVERSITY.

Results continue to vindicate the wisdom of military training and discipline at the University. The corps of cadets has, during the present year, furnished to the Confederate army as many as a full company of well drilled and most effective soldiers. By a regulation of the Board of Trustees, adopted at its last annual session, no cadet will be commissioned who has attained the age of eighteen years. Arrangements have been made for the accommodation of an increased number, not to exceed three hundred. The organization of the corps, with its arms and equipments, make it a reliable and efficient bat-

tation for State defense, should an emergency call it to the field. I commend this corps and the University of the State to the fostering care and patronage of the General Assembly.

SALARIES OF STATE HOUSE OFFICERS.

I deem it my duty to call the attention of the General Assembly to the inadequate salaries now paid to the incumbents in the various offices at the Capitol. Your own experience and observation attest the high price of living in the city of Montgomery at the present time. These officers are required to reside at the Capitol, and their whole time and energies are demanded to perform their arduous duties. They cannot be expected, and the State should not permit them to devote their services without such compensation as will maintain their families. In view of the present emergency I recommend a liberal increase of their salaries, at least until the close of the next year.

STATE AND CONFEDERATE RELATIONS.

Complaints have occasionally been made of unauthorized acts committed by Confederate military officers within this State. That irregularities have been committed, and in some instances illegal excesses and wrongs, by subordinate officers, is certainly true. Where these have occurred in an honest effort to discharge their duty, much allowance is due to the cause which they are striving to serve, as well as to their excess of zeal; but if the acts have resulted from a wanton disregard of private rights and a contempt of State authority, their perpetrators merit severe rebuke and punishment. Such complaints as have reached the Executive office, and were sustained by satisfactory proof, have been promptly reported to the Secretary of War, or to the commanding officer within the State, and have been by them as promptly remedied. Among these was the illegal arrest of the Probate Judge of Pike county by an officer of the conscript bureau: So soon as the Secretary of War received my official communication, notifying the fact, he telegraphed the officer that his action was disapproved, and directed him to carefully abstain from obstructing the proceedings of the State judicial officers, and from all interference with their persons. Another complaint which I deem proper to mention, was submitted by the retailers of Mobile, advising me of a military order closing their shops, and thus virtually annulling the licenses granted to them by the laws of the State. Their memorial was communicated by me to Maj. Gen. Maury, commanding the department of the Gulf, and when advised that his order was an invasion of State authority, and for that reason he was requested to revoke it, this gallant and meritorious General gracefully yielded the point,

with the assurance that, above all things he desired to respect the civil laws, and if necessary to aid the State Executive in maintaining them. The order was deemed needful for the better discipline and efficiency of the army under his command. My information is that, in this particular, it was highly beneficial in its results. It was recommended by many of the leading and influential citizens of Mobile, who publicly announced their approval of the order, and volunteered their testimony that after its issuance there had been a marked improvement in decorum upon the streets of the city. I doubt not that it would have been eminently judicious had there been legal authority to sustain it. The occurrence suggests the propriety of State legislation to remedy the evils in such cases. It may be conceded that military officers within the limits of their encampments may adopt all necessary police regulations for the due subordination and discipline of their troops, but where troops occupy or encamp near by cities and towns in which the ordinary avocations of the citizens are unmolested, and the civil authority is undisturbed, the daily vending of spirituous liquors under legal protection cannot prove otherwise than detrimental to public order as well as to the efficiency of the troops. This evil may be avoided by the passage of an act prohibiting the retailing of spirituous liquors in such localities, or by investing the Governor with the power to suspend licenses, or to issue orders of prohibition and restraint.

I am persuaded that there is no reasonable ground for public apprehension that the Confederate Government, in the administration of either of its departments, will intentionally invade or disregard the reserved rights of the States or of the people. The success of the grand struggle in which it is engaged is so vitally dependent upon the cordial support of all the States, that it is not to be presumed that it will hazard the exercise of powers which might disturb its harmonious relations. And as the independence and welfare of all the States are mutually connected, and dependent upon the success of the Confederate cause, while jealously guarding their own sovereignty, the highest interests of the several States demand that they should heartily sustain the Confederate Government in every measure it may adopt to secure a final triumph over their common foe.

CONCLUSION.

Before the adjournment of the present session of the General Assembly my official term will close, and I shall be relieved from the cares and responsibilities of the Executive office. Upon the day of my inauguration I declared, in the presence of the two Houses, that, "diffident as I might be at any time to undertake a trust of such large responsibility, now that we are

in the midst of momentous events, requiring vigilance, fortitude, labor and skill beyond the ordinary demands of our internal administration, the stoutest heart and wisest intellect might hesitate in view of all the just expectations of the country." If I have failed to meet these just expectations it has not been because I have failed to labor earnestly, and with an entire consecration of my time and humble abilities, to promote the welfare and maintain the honor of the State. All the means within the control of the Executive have been employed to secure its protection, to ameliorate the burthens imposed upon her people by the cruel war now being waged for their subjugation, and to hold up the State of Alabama to the fulfillment of her plighted faith "to vindicate our Confederate cause, and to fight on and fight ever, until we conquer a peace, which shall not only compel an acknowledgment of our confederate system, but which shall bring us a deliverance, full and unrestricted, from all commercial dependence upon, as well as from all social and political complications with a people who appreciate neither the value of liberty or the sanctity of compact."

I shall retire with cheerfulness and a sustaining consciousness of having at least faithfully attempted the discharge of every duty; and I shall carry with me no other regret than that I have not been able, with the resources at my command, to accomplish more for the good of the State and for her patriotic people, to whom I owe a lasting debt of gratitude for the many undeserved honors they have conferred upon me. I congratulate you and them upon the selection of one, as my successor, whose personal character, high talents, untiring energy and ardent patriotism, give assurance of a successful administration of the Executive office, and of a firm and zealous support of the Confederate Government in its mighty struggle to maintain and perpetuate the sovereignty and independence of the Confederate States. It shall be my willing purpose, as it is my clear duty, so sustain him in all his arduous labors for the accomplishment of these great ends, and I will counsel the people to yield him their generous confidence and co-operation, and stand even the more firmly by his side, to strengthen his arms and animate his courage, should the storm clouds thicken and gather more darkly over our beloved State.

I cannot close this communication without adverting to the constant and willing assistance rendered me by my respected associates in the Executive Department, and expressing the deep sense of obligation I feel, and shall ever cherish for their valued counsel and support.

JNO. GILL SHORTER.

On motion of Mr. Jackson the message was laid on the table, and 1,000 copies were ordered to be printed for the use of the Senate.

On motion of Mr. Reavis the documents accompanying the message of the Governor were referred to a select committee of three, with instructions to examine the same and report what, if any, in their opinion, ought to be printed.

Messrs. Reavis, Harrison and Erwin were appointed the committee.

Senate then adjourned till 10 o'clock, to-morrow morning.

TUESDAY, November 10. 1863.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Baldwin, of this city.

Messrs. Ligon and Beeson appeared within the bar of the Senate, and took their seats.

CALL OF THE DISTRICTS.

Bills were introduced—

By Mr. Reavis, for the relief of the Gainesville Insurance Company, accompanied with a petition and other papers;

Which bill was read twice under a suspension of the constitutional rule, and referred to the judiciary committee.

By Mr. Harrison, to repeal the stay law, approved December 10, 1861 :

Which was read twice and referred to the judiciary committee.

Also, to provide spinning, or cotton and wool cards :

Was read twice and referred to the committee on the supply of cotton and wool cards.

Mr. Jackson presented a petition from citizens of North Alabama, which was referred to the judiciary committee.

Mr. President laid before the Senate the following as the standing committees of the Senate :

Judiciary—Messrs. Rice of Montgomery, Reavis, Porter, Clarke, Walker, Lewis, Ligon, Barnes, Davis and Cato.

Banks and Banking—Messrs. Harrison, Clarke, Wood, Barnes, Hammond, Toulmin, Lewis, Ervin, Garrett and Payne.

Confederate Relations—Messrs. Ligon, Walker, Jackson, Cato, Matthews, Stewart, McCall and Brodnax.

Propositions and Grievances—Messrs. Hammond, Brodnax, Wood, Peacock, Hardwick and McCall.

16th Section—Messrs. Reavis, Coman, Davis, Rice of Jackson, Hill, Coleman and Brodnax.

Education—Messrs. Payne, Garrett, Clarke, Matthews and Moren.

Retrenchment—Messrs. Groce, Peacock, Barnes, Coman and Beeson.

Accounts and Claims—Messrs. Moren, Hammond, Jackson, Lewis, Toulmin, Matthews and Ervin.

Penitentiary—Messrs. Ervin, Barnes, Coman, Groce and Critcher.

Agriculture—Matthews, Rice of Jackson, Jackson, Hardwick and Beeson.

County Boundaries—Messrs. Hill, Barnes, Davis, Critcher and Brodnax.

State Printing—Messrs. Garrett, Stewart, Rice of Montgomery, Beeson and Critcher.

Roads, Bridges and Ferries—Messrs. Wood, Matthews, Hammond, Davis, Hill and Critcher.

Military—Messrs. Toulmin, Clarke, Ligon, Jackson, Reavis, F. Rice and Walker.

Enrolled Bills—Messrs. Porter, Coman, Coleman, Payne, Ligon, Hardwick and McCall.

State Capitol—Messrs. Coleman, S. F. Rice, Barnes, Walker, Ligon and Peacock.

Corporations—Messrs. Barnes, Toulmin, Porter, Coman, Lewis, Stewart, Hill and Wood.

Finance and Taxation—Messrs. Clarke, Reavis, Coman, F. Rice, Payne, Harrison and Ervin.

Internal Improvements—Messrs. Walker, Toulmin, Lewis, Garrett, Moren, Coman and Beeson.

Privileges and Elections—Messrs. Stewart, Matthews, Barnes, Porter and Hill.

Public Lands—Messrs. Cato, Reavis, F. Rice, Brodnax, Payne, Groce and Beeson.

Insane Hospital—Messrs. Moren, Reavis, Toulmin, Harrison, Coleman, S. F. Rice and Peacock.

On motion of Mr. Garrett,

Resolved, That the judiciary committee be instructed to inquire whether the law of the Confederate States Congress which authorizes the distillation of ardent spirits, supersedes the law of Alabama entitled, "An act to prohibit the distillation of grain, &c.," and report by resolution or otherwise ;

Also,

Resolved, That, with the concurrence of the House of Representatives, the two Houses will assemble in the Hall of the House on Friday, the 13th inst., at 12 o'clock, for the purpose of counting the votes cast for Governor of the State of Alabama.

On motion of Mr. Rice of Montgomery,

Resolved, That the judiciary committee inquire into the propriety of making coroners subject to militia duty.

Mr. Rice of Montgomery introduced a bill to repeal "An act to induce railroad companies in this State to carry troops and munitions of war free of charge," approved February 7, 1861 ;

Which was read twice, and referred to the judiciary committee.

Mr. Hill presented the petition of sundry citizens of Walker county, which was referred to the committee on roads, bridges and ferries.

Message from the House by Mr. Clitherall.

Mr. President :

The House of Representatives has adopted the following resolution :

Resolved, That, with the concurrence of the Senate, the two Houses of the General Assembly will meet in convention in the Hall of the House of Representatives on Thursday, the 12th inst., at 12 o'clock, for the purpose of electing solicitors for the 1st, 2d, 3d, 4th, 5th, 9th, 10th and 11th judicial circuits.

The Senate proceeded to consider said resolution.

On motion of Mr. Garrett the figures 9th and 10th were stricken out, and, as amended, the resolution was concurred in.

Senate then adjourned till 10 A. M., to-morrow.

WEDNESDAY, November 11, 1863.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Jordan of this city.

CALL OF THE DISTRICTS.

Bills were introduced—

By Mr. Ervin, to provide indigent families with salt and cotton yarns ;

Which was read twice and referred to the committee on salt supply.

By Mr. Barnes, to repeal and modify "An act to regulate judicial proceedings," approved December 10, 1861 ;

By Mr. Lewis, to authorize executors, administrators, guardians and trustees to receive the treasury notes of this State and of the Confederate States, in payment for all property sold by them as such ;

By Mr. Ligon, to amend "An act to prohibit the distillation of grain in the State of Alabama, &c.,"

Which bills were severally read twice, and referred to the committee on finance and taxation.

Message from the House by Mr. Clitherall.

Mr. President :

The House of Representatives has adopted the following resolutions in which they ask your concurrence :

That, with the concurrence of the Senate, the committees of each House on military affairs will act as a joint committee, and that the said joint committee report simultaneously to each House,

Resolved, That a committee of three be appointed to act with a like number from the Senate, to propose resolutions in response to the Virginia Legislature in reference to the currency of the Confederate States ; Messrs. Jones, Taylor and Lawler appointed said committee on the part of the House.

The House concurs in the amendment of the Senate to the resolution of the House proposing to elect solicitors for certain circuits therein named, and concurs in the resolution of the Senate proposing to meet in convention on Friday, the 13th inst., to count the votes for Governor.

The House has originated and passed a bill to change the time of holding the courts in the 11th judicial circuit ;

Which said House resolution was concurred in.

Under the 2d resolution Messrs. Reavis, Harrison and Ligon were appointed the Senate committee.

Mr. Barnes introduced a bill for the relief of Liadsey C. Spratling, of Chambers county ;

Which was read three times and passed.

Mr. Garrett introduced a bill to authorize A. T. Kannaday to erect a fish trap in a portion of Coosa river ;

Which was read twice, and referred to the committee on internal improvements.

Also, to amend section 638 of the Code ;

Which was read twice, and referred to a committee of one from each judicial circuit, as follows : Messrs. Rice of Montgomery, Garrett, Powell, Jackson, Hammond, Toulmin, Reavis, McCall, Ligon, Groce and Davis.

Mr. Lewis presented a memorial for the relief of William B. Murton, of Russell county ;

Which was referred to the military committee.

On motion of Mr. Barnes,

Resolved, That the rules of the last session of the Senate be adopted as the rules for the government of the present Senate, except the 40th rule be amended or changed by striking out United States where it occurs in said 40th rule, and inserting in lieu thereof the Confederate States.

On motion of Mr. Groce,

Resolved, the House concurring, that the two Houses of the General Assembly will convene in the House, on Saturday the 14th, at 12 o'clock, m., to elect a solicitor for the 10th judicial circuit.

House bill to change the time for holding the courts in the 11th judicial circuit ;

Was read twice and referred to the judiciary committee.

Message from the House by Mr. Elmore.

House of Representatives, November 10, 1863.

Mr. President :

The House has adopted the following resolution :

Resolved, with the concurrence of the Senate, that the two Houses will assemble, in convention, in the hall of the House on to-morrow (Wednesday), at 12. m., to elect a State printer for the term prescribed by law:

The Senate proceeded to consider said resolution.

On motion of Mr. Reavis the further consideration was postponed until wednesday next, the 18th instant.

Senate then adjourned until 10, a. m., to-morrow.

THURSDAY, NOVEMBER 12, 1863.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Jourdan.

CALL OF THE DISTRICTS.

Bills were introduced—

By Mr. Toulmin, to abolish the office of public accounts in the county of Mobile;

Which was read three times, forthwith, and passed.

By Mr. Ervin, to allow probate judges to appoint special administrators in certain cases :

Also, to allow probate judges to make publication in certain cases;

By Mr. Powell, to allow plaintiffs to be witnesses in attachment causes in certain cases;

By Mr. Reavis, in relation to practice in chancery courts ;

By Mr. Barnes, for the relief of justices of the peace in the city of Montgomery ;

By Mr. Clarke, to authorize the Governor of the State of Alabama to suspend the right of licensed retailers of spirituous liquors to retail or sell spirituous liquors within ten miles of any military encampment within said State, whenever he may think the public good requires it ;

All of which bills were read twice and referred to the judiciary committee.

By Mr. Ligon, to authorize the Governor of this State to lease the public lands for certain purposes:

By Mr. Rice of Montgomery, to amend the law in relation to the public lands;

Which bills were severally read twice and referred to the committee on public lands;

By Mr. Critcher, to amend "an act in relation to the support of indigent families of soldiers," approved August 29, 1863;

Which was read twice and referred to a select committee of three, composed of Messrs Critcher, Rice of Montgomery and Reavis.

Mr. President laid before the Senate the following annual report of the commissioner of public lands:

STATE LAND OFFICE.
MONTGOMERY, ALA. Nov. 10th. 1863.

Hon. W. H. Crenshaw,

Speaker of the House of Representatives.

Sir: As required by the 19th section of "an act to amend the revenue laws," approved December 9th, 1862, I prepared and reported to the comptroller of public accounts a statement showing, by counties, the number of acres of sold land, the number of acres of vacant land, and the number of acres of land belonging to or reserved for railroads in this State, the aggregate of which is, of sold land, 23,324,004 57-100; of vacant land, 6,182,172 71-100, and of lands belonging to railroads, 2,876,050 34-100 acres, making the entire area of the State 32,382,226 65-100 acres.

The sales of land at the second district land offices of the State from the 1st November, 1862, to the 1st November, 1863, appear in the following table:

	Land warrants issued.	to \$10	\$3	\$1 50.	\$2 50	\$1 25	Gradenation.	Total cash
Centre,					1961 28		280 13	5093 20
Demopolis,				200 24				300 36
Elba,			39 39 1/2		117 97 1/2	955 15 1/2		1606 98
Greenville,							526 15 1/2	131 52
Huntsville,							853 84	11920 29 1/2
Montgomery,					2080 50 1/4	355 92	851 75 1/2	32368 97
St. Stephens,	237 10	613 00	480 82 1/2	39 89	12075 42	119 79 1/4		
Tuscaloosa,		39 91 1/2						
	237 10	652 91 1/2	520 22	240 13	16235 18 1/4	1430 86 3/4	2512 88 1/2	51421 38 1/2

The returns from the land office at Tuscaloosa, for October, have not yet been received. During that month, under the authority conferred by the third section of "an act to increase the price of certain lands belonging to the State of Alabama,"

approved December 8, 1862, the governor and commissioner of public lands, upon satisfactory evidence, granted to parties who applied to purchase, permission to enter 680 acres at ten dollars per acre, and 2627 acres at three dollars per acre, the purchase money for which sales, if perfected in that month, will increase the amount of cash, for sales of public lands for the year \$14,681, which would make the entire proceeds of sales for that period \$66,102 38-100.

There were no sales at the Demopolis land office for the reason that when the term of office of the officers there expired, there being little or no business in that office, no appointments were made. I would suggest that in view of the small quantity of land now vacant in that district, it be attached to some other district, and for the same reason, that the Cahaba and Tallapoosa districts be consolidated.

All of which is respectfully submitted.

J. T. BRADFORD,
Commissioner of Public Lands.

Mr. President also laid before the Senate the annual report of John Whiting, commissioner and trustee :

On motion of Mr Rice of Montgomery ;

Resolved, That the report of John Whiting, commissioner and trustee, be referred to a committee of three on the part of the Senate, to act with a like committee of the House, to settle his accounts, and to recommend such action to the two Houses as such committee deem proper.

Messrs Rice of Montgomery, Hammond and Ervin, were appointed said committee on the part of the Senate.

Mr. Groce presented the memorial of Rease Howell, of Talladega county ;

Which was referred to the committee on the judiciary.

Mr. Lewis, from the judiciary committee, reported favorably to the bill to authorize executors, administrators, guardians, and trustees, to receive the treasury notes of this State, and of the Confederate States, in payment for all property sold by them as such.

Which bill was read a third time, and passed.

Mr. Jackson, from the same committee, reported favorably to the bill to repeal an act to induce railroad companies, in this State, to carry troops and munitions of war, free of charge, etc.;

Which bill was read a third time, and passed.

Mr. Rice, of Montgomery, from the same committee, reported favorably to the House bill to change the time of holding the courts in the 11th judicial circuit ;

Which bill was read a third time, and passed.

Mr. Harrison, from select committee, made the following report :

The select committee to whom was referred the documents accompanying the Governor's message, with instructions to report what ought to be printed, beg leave to report, that we have examined the same, and suggest the printing of the following documents :

1st. Letter of instructions of governor Shorter to A. G. McGee, salt commissioner:

2nd. The report of A. G. McGee, State salt commissioner;

3rd. governor Shorter's letter of instruction to John P. Figh of salt reservation—all to be printed in one pamphlet ;

4th. Report of wardens, inspectors and physicians of the Penitentiary—in one pamphlet;

5th. Report of officers of insane hospital, Tuscaloosa;

6th. Report of commissioners to examine officers of the State department.

We further recommend that the reports of the commissioners to examine the chartered banks of the State, be referred to the committee on banks and banking, with instructions to report what portion of the same ought to be printed.

The other documents, viz :

Report of superintendent and commissioners on supply of cotton cards and contracts, and licenses for distillation of grains. are herewith returned, your committee not deeming it necessary to print the same.

On motion of Mr. Reavis.

Resolved, That the committee on the judiciary be instructed to inquire what legislation, if any, is necessary to suppress the evil of slaves hiring their own time or going at large, without any white person to control them, and trafficking and speculating in many articles of prime necessity for soldiers and their families, and to report by bill or otherwise.

On motion of Mr. Ligon,

Resolved, the House concurring, that the two Houses will meet in the Hall of the House of Representatives in convention, at 12 o'clock to-day, for the purpose of electing a solicitor for the 9th judicial circuit.

Message from the House by Mr. Clitherall.

Mr. President :

The House has originated and passed a bill to increase the pay of jurors of this State.

The House concurs in the resolution of the Senate proposing to elect a solicitor for the 9th judicial circuit, on this day

at 12, m., and has amended the same by adding the words "Public Printer for the State."

In which amendment the Senate refused to concur.

Message from the House by Mr. Clitherall.

Mr. President:

The House has originated and passed joint resolutions in reference to soldiers' pay ;

Bill to repeal an act to regulate the number of grand jurors in Marion county ;

To repeal an act therein named.

The House insists on its amendment to the Senate resolution proposing to elect a solicitor for the 9th judicial circuit to-day, at 12, m.

The Senate insisted on its disagreement to the House amendment to the above resolution mentioned in the message of the House.

House bills---

To repeal an act to regulate the number of grand jurors in Marion county ;

To repeal an act therein named ;

Were severally read three times, forthwith, and passed.

House joint resolutions in relation to soldiers' pay were referred to the committee on Confederate Relations.

House bill--To increase the pay of jurors in this State ;

Was read twice and referred to the judiciary committee.

Message from the House by Mr. Clitherall.

Mr. President :

The House insists on its amendment to the Senate resolution to elect a solicitor for the 9th judicial circuit.

On motion of Mr. Clarke, the resolution, as amended by the House, was laid on the table.

At the hour of 12, m., the Senate by invitation repaired to the Hall of the House, when the two Houses in convention proceeded to the elections set for that hour.

Election of solicitor for the 1st judicial circuit.

Young L. Royston alone being in nomination, and having received 111 votes, and a majority, it being all the votes cast, was declared by Mr. Speaker duly and constitutionally elected solicitor for the 9th circuit for the term prescribed by the constitution.

The next in order being the election of an Attorney General, who is *ex officio* solicitor for the 2d judicial circuit, and Marion A. Baldwin alone being in nomination, and having received 111 votes, it being all the votes cast, and a majority, was declared by Mr. Speaker duly and constitutionally elected

Attorney General for the State of Alabama for the term prescribed by the constitution.

The convention next proceeded to the election of Solicitor for the 3d Judicial Circuit.

Alberto Martin of Jefferson, and J. W. Hampton of Walker, being in nomination :

Those who voted for Mr. Martin are, Messrs. President, Barnes, Brodnax, Clarke, Davis, Ervin, Groce, Hammond, Hardwick, Harrison, Jackson, Ligon, Payne, Porter, Powell, Reavis, S. F. Rice, of the Senate ; Messrs. Speaker, G. W. Ashe, Atkinson, Bell, Benners, Bradley, Bryan, Carlisle, Chambers, Chisholm, Clarke, Coleman, Cooper, J. W. Davis, M. L. Davis, Dawson, Dent, Ellis, Fannin, Foster, Gafford, Gibson, Graves, Greathouse, Howard, Jones, John Keenan, Kilpatrick, Lawler, Lewis, John Moore, McAlexander, McInnis, McClelland, McLemore, Nisbet, Parsons, Price, Ryan, Sims, Towles and Wolff, of the House—59.

Those who voted for Mr. Hampton are, Messrs. Beeson, Critcher, Garrett, Hill, Lewis, McCall, Peacock, Toulmin, and Wood, of the Senate ; Messrs. Armstrong, T. P. Ashe, Ashurst, Barron, Beard, Bethea, Bishop, Brandan, Brooks, Bryers, Chapman, Charlton, Cox, Cumming, Franklin, Gardner, Greene, Hames, Head, Holley, Hollis, Howell, H. I. M. Kennon, Ligon, Magee, Modawell, John G. Moore, Moulton, McCain, Ogbourne, Orr, Parish, C. A. Parker, E. S. C. Parker, Reid, Robeson, Scruggs, Seay, Sibley, Taylor, Vanzandt, Vincent, West, and Williams, of the House—52.

Mr. Martin having received 59 votes, it being a majority of all the votes cast, Mr. Speaker declared him duly elected Solicitor for the 3d Judicial Circuit for the term prescribed by the constitution.

The convention proceeded to elect a Solicitor for the 4th Judicial Circuit.

Mr. E. W. Parker of Morgan, and Mr. S. M. Morrow of Blount, being in nomination :

Those who voted for Mr. Parker are, Messrs. Barnes, Beeson, Brodnax, Clarke, Critcher, Davis, Ervin, Hammond, Harrison, Hill, Jackson, Ligon, McCall, Payne, Peacock, Porter, Powell, Reavis, Toulmin, and Wood, of the Senate ; Messrs. Speaker, T. P. Ashe, Ashurst, Barron, Bell, Benners, Brandan, Brooks, Bryan, Bryers, Carlisle, Chambers, Chapman, Chisholm, Clarke, Coleman, Cooper, Cox, J. W. Davis, Dawson, Dent, Fannin, Foster, Franklin, Gafford, Graves, Greathouse, Greene, Head, Hollis, Howell, Jones, John Keenan, H. I. M. Kennon, Kilpatrick, Lawler, Leeper, Ligon, Magee, Manasco, Modawell, John Moore, John G. Moore, Moulton, McAlexander,

McCain, McInnis, McClelland, McLemore, Nisbet, Orr, Parish, C. A. Parker, E. S. C. Parker, Price, Robeson, Scruggs, Seay, Sims, Sibley, Taylor, Towles, Vanzandt, Vincent, West, Williams, and Wolff, of the House—88.

Those who voted for Mr. Morrow are, Messrs. President, Garrett, Groce, and Hardwick, of the Senate : Messrs. G. W. Ashe, Atkinson, Beard, Bethea, Bishop, Bradley, Charlton, M. L. Davis, Ellis, Gardner, Gibson, Hames, Holley, Howard, Lewis, Ogbourne, Parsons, Reid, and Ryan, of the House—22.

Mr. Parker having received 88 votes, and a majority of all the votes cast, was declared by Mr. Speaker duly elected Solicitor for the 4th Judicial Circuit for the term prescribed by the constitution.

The convention then proceeded to the election of Solicitor for the 11th Judicial Circuit.

Mr. R. H. Dawson, of Wilcox, alone being in nomination, and having received 111 votes, it being all the votes cast and a majority, Mr. Speaker declared him duly elected Solicitor for the 11th Judicial Circuit for the term prescribed by the constitution.

The Senate then withdrew to its chamber.

Message from the House by Mr. Clitherall.

Mr. President :

The House has adopted the following resolution :

Resolved, The Senate concurring, that the two Houses meet in convention in the hall of the House, *instanter*, for the purpose of electing a Solicitor for the 9th Judicial Circuit.

The Senate concurred in said resolution.

The Senate repaired to the hall of the House, when the two Houses, in convention, proceeded to said election.

Messrs. J. J. Martin of Macon, — McDonald of Tallapoosa, and L. F. McCoy of Russell, being placed in nomination :

Those who voted for Mr. Martin are, Messrs. Beeson, Brodnax, Garrett, Harrison, Hill, Ligon, and Peacock, of the Senate ; Messrs. Speaker, Armstrong, G. W. Ashe, Barron, Bradley, Bryan, Cumming, Fannin, Head, Howard, Jones, Lawler, Leeper, Ligon, Magee, John G. Moore, Moulton, McCain, Ogbourne, C. A. Parker, E. S. C. Parker, Parsons, Price, Reid, Ryan, Seay, Sims, Sibley, Vanzandt, Vincent, West, and Williams, of the House—40.

Those who voted for Mr. McDonald are, Messrs. President, Barnes, Clarke, Critcher, Davis, Ervin, Groce, Hammond, Hardwick, Jackson, Lewis, McCall, Payne, Porter, Powell, Reavis, S. F. Rice, F. Rice, Toulmin, and Wood, of the Senate ; Messrs. T. P. Ashe, Ashurst, Atkinson, Beard, Bell, Benners, Bethea, Bishop, Brandan, Brooks, Bryers, Carlisle, Chambers,

Chapman, Charlton, Chisholm, Clarke, Coleman, Cooper, J. W. Davis. M. L. Davis, Dawson, Dent, Ellis, Foster, Gafford, Gardner, Gibson. Graves, Greathouse, Greene, Hames, Holley, Hollis, Howell, John Keenan, Kilpatrick, Lewis, Manasco, Modawell, John Moore, McAlexander, McInnis, McClelland, Nisbet, Orr, Parish, Robeson, Scruggs, Taylor, Towles, and Wolff, of the House—72.

Those who voted for Mr. McCoy are, Messrs. Cox, Franklin, H. I. M. Kennon, and McLemore, of the House—4.

Mr. McDonald having received 72 votes, it being a majority of all the votes cast, Mr. Speaker declared him duly elected solicitor for the 9th judicial circuit, for the term prescribed by the constitution.

The Senate then returned to its chamber.

Senate adjourned till 10 o'clock to-morrow morning.

FRIDAY, November 13, 1863.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Jordan, of this city.

CALL OF THE DISTRICTS.

Bills were introduced—

By Mr. Clarke, to amend an act declaring who shall be exempt from militia duty, approved August 29, 1863; which was read twice, and referred to the judiciary committee.

By Mr. Ervin, to amend sections 1869 and 1871 of the code; Also, to protect the interests of minor heirs of deceased persons ;

By Mr. Powell, to authorize the several judges of probate of this State to appoint clerks for their offices ;

Which bills were severally read twice, and referred to the judiciary committee.

By Mr. Garrett, to further provide for the working of the public roads of this State during the war; which was read twice, and referred to the committee on roads, bridges and ferries.

By Mr. Rice of Montgomery, in relation to the exemption of farriers from militia duty ; which was read twice and referred to the military committee.

By Mr. Harrison, to consolidate the unexpended fund of the military appropriation ; which was read twice, and referred to the committee on finance and taxation.

Mr. Rice of Montgomery, from select committee, reported favorably to the bill to amend an act in relation to the support of indigent families of soldiers, &c., with the following amendment: Strike out the words "a sum sufficient to pay the amount of money," and insert in lieu thereof the follow-

ing words, "sixteen thousand seven hundred and thirty-seven dollars and sixty-six cents ;"

Which amendment was adopted, the bill read a third time and passed.

Mr. Garrett, from the committee on internal improvements, reported favorably to the bill to authorize A. T. Kannady to erect a fish trap in a portion of the Coosa river ;

Which was read a third time and passed.

Mr. Hill, from the committee on roads, bridges and ferries, reported a bill to authorize Dr. J. S. Hays to build a mill dam across the Warrior river at Hyche shoals, in Walker county ;

Which was read three times and passed.

Mr. Ligon, from the judiciary committee, reported favorably to the bill to authorize the Governor to suspend the right of licensed retailers of spirituous liquors to retail or sell spirituous liquors within ten miles of any military encampment, &c., with the following amendment : " *Provided*, that said act shall not apply to licenses heretofore granted ;"

Which amendment was adopted, and the bill read a third time and passed.

Mr. Reavis presented sundry papers relative to the purchase of cotton cards ; which were referred to the committee on the supply of cotton cards.

Message from the House by Mr. Clitherall.

Mr. President :

The House has originated and passed the following bills :

To authorize the action of ejectionment ;

To authorize the administrators of J. K. Breazeale and Sarah K. Breazeale to remove the administration of said estate from the county of Lowndes to the county of Dallas ;

To fix the time of the meeting of the General Assembly.

The House has appointed Messrs. Bethea, Lawler and Ben-
ners, a committee on the part of the House to act with the committee appointed by the Senate to settle the account of John Whiting, commissioner and trustee, &c.

The House has passed a bill to repeal an act therein named relating to the county of Coffee.

The House has amended the resolution of the Senate proposing to elect a solicitor for the 10th circuit, on Saturday next, at 12, m., by striking out "Saturday at 12, m.," and inserting "this day at 11 3-4 o'clock."

The Senate concurred in said amendment.

House bills—To authorize the administrators of the estate of James K. Breazeale and Sarah K. Breazeale to remove the administration, &c. ; To repeal an act therein named relating to the county of Coffee ;

Were severally read three times, forthwith, and passed.

House bill for the relief of Theophilus C. Greenhill;

Was read twice and referred to the committee on finance and taxation.

House bills—To authorize the action of ejection; To fix the time of the meeting of the General Assembly;

Were severally read twice and referred to the judiciary committee.

Message from the Governor by Mr. Taylor.

Mr. President :

The Governor instructs me to deliver to the Senate a Special Message to the General Assembly in relation to Alabama volunteers.

Which message was referred to a select committee of three, composed of Messrs Reavis, Ligon and Porter;

Also, the annual report of the Board of trustees of the university of Alabama just received :

Which report was referred to the committee on education.

At the hour of 15 minutes before 12 o'clock, the Senate, by invitation, repaired to the hall of the House, when the two Houses, in convention, proceeded to the election of a solicitor for the 10th judicial circuit.

Mr. John H. Caldwell, of Calhoun, Mr. B. F. Pope, of St. Clair, and Mr. John Henderson, of Talladega, being in nomination :

Those who voted for Mr. Caldwell are, Messrs. President, Barnes, Clarke, Davis, Ervin, Garrett, Hammond, Harrison, Hill, Jackson, Lewis, McCall, Payne, Peacock, Porter, Powell, Reavis, S. F. Rice, Toulmin and Wood, of the Senate : and Messrs. Atkinson, Benners, Bethea, Bishop, Brooks, Bryan, Bryers, Brown, Chambers, Charlton, Chisholm, Clarke, Coleman, Cox, Cumming, M. L. Davis, Dawson, Dent, Ellis, Evans, Foster, Gafford, Gibson, Graves, Greathouse, Greene, Hames, Hollis, Howard, Jones, John Keenan, Kilpatrick, Magee, Modawell, John Moore, John G. Moore, McAlexander, Melunis, McLelland, McLemore, Nisbet, C. A. Parker, Price, Reid, Robeson, Ryan, Scruggs, Taylor, Towles, Vanzandt, Williams and Wolff of the House—72.

Those who voted for Mr. Pope are, Messrs. Beeson, Brodnax, Critcher and Hardwick, of the Senate : Messrs. Speaker, G. W. Ashe, T. P. Ashe, Beard, Bradley, Cobb, Holley, Howell, Ligon, Manasco, Orr, Parish, Seay and Vincent, of the House—18.

Those who voted for Mr. Henderson are, Messrs. Groce, and Ligon, of the Senate ; and Messrs. Armstrong, Ashurst, Barron, Bell, Carlisle, Chapman, J. W. Davis, Fannin, Franklin, Gardner, Head, H. I. M. Kennon, Lawler, Leeper, McCain, Ogbourne, E. S. C. Parker, Parsons, Sims and West, of the House—22.

Mr. Caldwell having received 72 votes, it being a majority of all the votes cast, Mr. Speaker declared him duly and constitutionally elected for the term prescribed by the constitution.

The hour of 12, m., having arrived, the two Houses proceeded to count the votes for Governor, and to declare the election of Governor of the State of Alabama.

From the returns submitted, it appeared that the following persons had, on the 1st Monday in August, 1863, received the following number of votes for the office of Governor in the counties hereinafter mentioned, to wit :

	WATTS.	SHORTER.	DOWDELL.
Autauga.....	526	70	32
Baldwin.....	150	67	2
Barbour.....	826	447	3
Bibb.....	616	32	1
Blount.....	242	168	3
Butler.....	797	42	61
Calhoun.....	745	574	45
Chambers.....	702	210	178
Cherokee.....	639	383	28
Choctaw.....	495	39	
Clarke.....	512	70	
Coffee.....	507	73	31
Conecuh.....	388	62	13
Coosa.....	1169	88	46
Covington.....	438	40	19
Dale.....	434	115	89
Dallas.....	863	107	6
DeKalb.....	331	272	
Fayette.....	421	162	22
Franklin.....	607	266	2
Greene.....	529	149	5
Henry.....	422	227	
Jackson.....	128	213	2
Jefferson.....	501	89	27
Lauderdale.....	214	207	
Lawrence.....	378	103	12
Lowndes.....	555	103	23
Macon.....	919	193	114
Madison.....	111	283	3
Marengo.....	525	130	6
Marion.....	140	158	7
Mobile.....	979	857	
Monroe.....	453	33	28
Montgomery.....	1116	313	104
Morgan.....	275	182	
Perry.....	680	184	
Pickens.....	622	130	
Pike.....	966	229	139
Randolph.....	949	402	57
Russell.....	625	276	34
Shelby.....	977	55	8
St. Clair.....	79	1103	
Sumter.....	399	101	1
Talladega.....	1528	152	29
Tallapoosa.....	1037	85	251
Tuscaloosa.....	848	187	
Walker.....	272	62	32
Washington.....	109	65	
Wilcox.....	477	106	8
	28,215	8415	1471

Mr. Speaker thereupon declared that Thomas H. Watts, of the county of Montgomery, having, as appears by said returns made in pursuance of law, received the highest number of votes given at said election for governor, was, and is declared duly and constitutionally elected governor of the State of Alabama for the term prescribed by the constitution.

The Senate then withdrew to its Chamber, and adjourned till 10 o'clock to-morrow morning.

Saturday, November 14.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Jordan.

CALL OF THE DISTRICTS

Bills were introduced

By Mr. Rice, of Montgomery, in relation to the Alabama State tract books ;

Which was read twice, and referred to the committee on public lands.

By Mr. Ervin, to facilitate the settlement of estates ;

To make owners of slaves liable for property stolen ;

By Mr. Barnes, to amend section 3600 of the code ;

By Mr. Jackson, for the relief of tax assessors ;

By Mr. Powell, to authorize registers in chancery to take forthcoming bonds ;

By Mr. Garrett, to suppress more effectually the distillation of grain ;

All of which bills were severally read twice, and referred to the judiciary committee.

By Mr. Hill, to prevent the sale or giving away of any spirituous liquors in or about the capitol ;

Which was read twice, and referred to the committee on propositions and grievances.

By Mr. Reavis, to amend the law in relation to the printing and publication of the reports of the decisions of the Supreme Court ;

Which was read three times, forthwith, and passed.

On motion of Mr. Davis,

Resolved by the Senate, That the governor be requested to furnish the Senate the amount of money that has been expended, or loaned to any individual or company, and to what individual or company ; how many stand of arms each individual, or company, has furnished the State ; and what price, out of the money appropriated by the act "to encourage the

manufacture of fire arms and munitions of war in this State," approved December 7, 1861.

Also, what amount of the money, appropriated by the same act, has been loaned or expended, and to what persons loaned, for the manufacture and preparation of powder, saltpetre and sulphur ; and what amount of each article, here specified, has been furnished the State by each individual or company.

Mr. Reavis, from the judiciary committee, reported favorably to the bill to authorize probate judges to appoint special administrators, in certain cases ;

Which was read a third time, and passed.

Mr. Barnes, from the same committee, reported favorably to the bill to authorize the action of ejectment ;

Which was read a third time, and passed.

Mr. Powell, from the same committee, reported favorably to the bill to authorize probate judges to appoint clerks for their offices.

Mr. Brodnax moved to amend, by proviso, as follows : Provided that no clerk shall be appointed who is liable to conscription.

Which amendment was adopted, the bill read a third time, and passed.

Mr. Rice, from the same committee, made the following report :

The committee on the judiciary, to whom was referred the petition of Reece Howell, asking compensation for his slave Sam, who was executed for consulting to rebel in 1860, have instructed me to report the accompanying bill, with the reasons for its passage :

It is proved that in 1860, Sam, the slave of said Howell, was charged with consulting to rebel, that he was convicted of that offence by a court organized under the provisions found in article 10, chapter 2, title 1, part 4 of the code of Alabama, and that he was hung by the order of that court. The value of Sam was assessed by the jury at fifteen hundred dollars, but no part thereof has ever been paid to his owner.

It seems to have been supposed that the owner was not entitled to any part of said sum, because of the provision found in section 3328 of the code, which is in the following words : " When a slave is executed on a charge of *insurrection* or *rebellion*, the owner is not entitled to receive from the State any compensation."

But that view is erroneous ; for section 3306 of the code makes a clear distinction between *consulting* to rebel, and an *actual rebellion* or *insurrection*. *Consulting* to rebel, on the part of a slave, is a capital offence ; but is distinct and different

from an insurrection, though both offences are punished alike, and with death. There may be a *consultation* to rebel, and yet no rebellion or insurrection may grow out of the consultation ; and, indeed, that was the case in the matter with which the slave Sam was connected. There was no insurrection nor rebellion, but simply a *consulting* to rebel. Of such *consulting* Sam was convicted, and for that *consulting*, and for nothing else, he was executed.

There is no provision in our law which disentitles the owner to compensation when his slave is executed for *consulting* to rebel. He is disentitled to compensation only when his slave is executed "on a charge of *insurrection* or *rebellion*."

The owner here (Reece Howell), is clearly entitled by section 3327 of the code, to one half of the assessed value of Sam : and the accompanying bill, which directs that much to be paid to him, ought to pass.

The bill was read a third time, and passed—Yeas 22, Nays 3.

Those who voted in the affirmative are, Messrs. President, Barnes, Beeson, Brodnax, Clarke, Critcher, Davis, Groce, Hammond, Hardwick, Hill, Jackson, Lewis, McCall, Peacock, Porter, Powell, Reavis, Rice of Montgomery, Rice of Jackson, Toulmin, and Wood—22.

Those who voted in the negative are, Messrs. Ervin, Garrett, and Payne—3.

Mr. Clarke, from the committee on finance and taxation, reported favorably to the bill for the relief of Wm. Hulsey, tax collector of Walker county ;

Mr. Jackson, from the same committee, reported favorably to the bill for the relief of T. C. Greenhill, tax collector of Franklin county ;

Which bills were read a third time, and passed.

Message from the House by Mr. Clitherall.

Mr. President :

The House of Representatives has originated and passed the following bills :

For the relief of S. B. Harmon, tax collector of Macon county ;

To prevent illicit trading with slaves ;

To prevent gaming in this State ;

For the relief of indigent families of soldiers in Baldwin county ;

To amend an act to provide for the election of State printer, approved February 8, 1858 ;

For the relief of Virginia Matthews, of Dallas county ;

For the relief of the estate of W. T. Smith, of Butler county ;

Also, Senate bills—

To abolish the office of public accounts in the county of Mobile ;

For the relief of L. C. Spratling, of the county of Chambers ;

To amend an act in relation to the support of indigent families of soldiers, approved August 29, 1863.

The House has resolved : that, with the concurrence of the Senate, the two Houses will, in convention, elect a superintendent of education on this day, at 12, m.

Also, the following joint rule :

"That when committees of conference are appointed, all questions before them shall be decided by a concurrent vote of each committee voting separately by itself, and the presence of a majority of each committee shall be requisite to transact business." The concurrence of the Senate is therein requested.

Senate proceeded to consider the message from the House.

The House resolution to elect a superintendent of education to-day, at 12, m., was, on motion of Mr. Payne, postponed till Saturday, the 21st inst.

Senate concurred in the joint resolution for the government of conference committees.

A message was received from the Governor by Mr. Taylor.

1st. In reference to the exemption of certain officers of the State from the military service of the Confederate States ;

Which was referred to the military committee.

2d. In relation to explorations for lead within the State of Alabama, with a report of survey for that purpose ;

Which was referred to the same committee.

Mr. Porter, from the committee on enrolled bills, reported the following as correctly enrolled :

To amend an act in relation to the support of indigent families of soldiers, approved August 29, 1863.

House bills—

To regulate the courts of the middle chancery division during the existing war ;

To prevent gaming in this State ;

To prevent illicit trading with slaves ;

To amend an act to provide for the election of State Printer, approved February 8, 1858 ;

For the relief of S. B. Harmon, tax collector of Macon county ;

Were severally read twice, and referred to the judiciary committee.

House bill—For the relief of Virginia Matthews, of Dallas county ;

Was read twice, and referred to the committee on finance and taxation, with instructions to report a general bill giving the comptroller the right to correct mistakes of the character mentioned in the bill.

House bills—

For the relief of the indigent families of soldiers, in Baldwin county ;

For the relief of the estate of William T. Smith, of Butler county ;

Were severally read three times, forthwith, and passed.

A message was received from the Governor announcing his approval of the bill to amend an act in relation to the support of the indigent families of soldiers, &c.

Senate then adjourned until 10 o'clock, Monday morning.

MONDAY, NOVEMBER 16, 1863.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Jourdan.

Mr. President laid before the Senate the annual report of John A. Graham, auditor of military accounts :

Which was referred to the military committee.

Also, a report of W. J. Greene, comptroller, showing the number of counties that have reported to his office under the provisions of the joint resolutions "to equalize taxation for the support of indigent families of soldiers, and to support the same by the State," approved 27th August, 1863 ;

Which was referred to the committee on finance and taxation.

CALL OF THE DISTRICTS.

Bills were introduced—

By Mr. Ligon, to repeal "an act to suspend during the war the statute of non-claims in certain cases" ;

By Mr. Rice of Montgomery, to define the duties of debtors and creditors in certain cases ;

Which bills were read twice, and referred to the judiciary committee.

Also, a bill further to amend an act to amend the revenue laws of this State, approved December 8, 1862 ;

Which were read twice, and referred to the committee on finance and taxation.

By Mr. Ervin, to authorize the construction of a branch railroad therein named ;

Which was read twice, and referred to the committee on internal improvements.

By Mr. Beeson, to amend an act declaring who shall be exempt from militia duty in this State ;

Which was read twice, and referred to the military committee.

Mr. Wood presented the petition of the probate judge and commissioners of Randolph county for the benefit of the indigent families of soldiers ;

Which was referred to the committee on finance and taxation.

On motion of Mr. Garrett,

Resolved, That with the view of lessening, as far as possible, the expenses of the State government, the committee on retrenchment be instructed to inquire 1st, what offices can be abolished or suspended ; 2d, what offices the salaries of which can be reduced ; and that said committee report by bill, or otherwise.

On motion of Mr. Ligon,

Resolved, That the committee on the military inquire into the expediency of adopting some legislation by which owners shall receive just compensation for property impressed under the law of the State, when the property has been lost, consumed, or destroyed, without any fault or neglect of the owner.

Mr. Powell offered the following resolution :

Resolved, With the concurrence of the House, that the two Houses of the General Assembly will adjourn *sine die* on Thursday, the 3d day of December next, at 12, m.:

Which resolution was laid on the table.

Message from the House by Mr. Clitherall.

Mr. President :

The House has originated and passed the following bills :

For the relief of B. Goldsby and others ;

To prevent the impressment and purchase of property under false pretenses.

Also, passed the Senate bills—

To authorize the governor to suspend the right of licensed retailers, &c.;

To authorize A. T. Kannady to erect a fish trap in a portion of Coosa river ;

To authorize Dr. J. P. Hays to erect a mill dam across the Black Warrior river in Walker county.

The House has adopted the following resolutions :

1st. *Resolved*, That, with the concurrence of the Senate, the two Houses will meet in the hall of the House on Saturday, 21st instant, at 12, m., to elect a Senator in the Confederate Congress, and a State printer.

2d. *Resolved*, That the committees on salt supply of the two

Houses act as a joint committee, and that said committees report simultaneously to each House.

3d. *Resolved*, The Senate concurring, that the two Houses meet in the hall of the House, at 12, m., on Friday next, for the purpose of electing trustees of the State University for the 3d, 6th, 7th and 10th judicial circuits.

4th. *Resolved*, That the committee on education of the two Houses be, and they are hereby authorized to inquire, and report to this General Assembly, as to the expediency of abolishing the offices of State and county superintendents of free public schools in Alabama.

The Senate proceeded to consider said House resolutions :

The first resolution was postponed till Wednesday next, and made special order for 12, m., of that day :

The second was concurred in ;

The third was postponed till 12, m., to-morrow :

The fourth was concurred in.

By leave, Mr. Garrett presented the petition of citizens of Coosa county, praying for the exemption from service in class No. 2 of the militia, of Thomas Hannon, jr., of Coosa county :

Which was referred to the military committee.

On motion of Mr. Garrett,

Resolved, That a committee of three be appointed, to act with a like committee of the House, to wait upon the Hon. T. H. Watts, and inform him of his election to the office of Governor of the State of Alabama, and ascertain when it will suit his convenience to take the oath prescribed by the constitution.

Messrs. Garrett, Hardwick, and Wood, were appointed said committee on the part of the Senate.

Mr. Groce, from the committee on public lands, reported favorably to the bill to authorize the governor to lease the public lands for certain purposes :

Which was read a third time, and passed.

Mr. Davis, from the committee on propositions and grievances, reported favorably to the bill to prevent the sale or giving away any spirituous liquors in or about the capitol ;

On motion of Mr. Harrison, the bill was laid on the table.

Mr. Reavis, from the select committee to whom was referred the governor's message in relation to Alabama soldiers, who have fallen in battle, &c., reported the following bill :

A bill to provide for carrying into execution joint resolutions in relation to Alabama volunteers, approved November 5, 1862 ;

Which bill was read three times, forthwith, and passed.

Mr. Davis, from the judiciary committee, reported favorably to the bill for the relief of tax assessors :

Which was read a third time, and passed.

Mr. Reavis, from the same committee, asked leave to return to the Senate the bill for the relief of the Gainsville insurance company, with the accompanying documents, and asked that they be referred to the committee on finance and taxation ;

Which was agreed to.

Message from the House by Mr. Clitherall.

Mr. President :

The House of Representatives has originated and passed the following bills :

For the relief of the heirs of Hardy Abney, deceased ;

An act for the relief of E. Shiver, of Dale county ;

To provide for insane convicts sent from the Penitentiary to the Alabama insane hospital ;

For the relief of W. A. Rose ;

To give jurisdiction of the estate of Wm. Garner to the judge of probate of Bibb county ;

To increase the capital stock of the Selma insurance and trust company, and the planters' and merchants' insurance company ;

An act to amend the charter of the city of Huntsville ;

To increase the capital stock of the Woodville insurance company ;

To repeal an act to authorize justices of the peace to appoint overseers of roads, and for other purposes, in the county of Coosa ;

To amend section 1203 of the code ;

The House has also adopted the following resolution :

Resolved, The Senate concurring, that the two Houses of the General Assembly convene in the hall of the House of Representatives on Tuesday, 17th instant, at 12 o'clock, to elect a solicitor for the 8th judicial circuit.

Mr. Reavis presented a communication from Joshua Morse, in relation to salt ;

Which was referred to the committee on salt supply.

House bills—

For the relief of the heirs of Hardy Abney, dec'd ;

To prevent the impressment or purchase of property under false pretences ;

For the relief of B. Goldsby and others ;

Were severally read twice, and referred to the judiciary committee.

House bill for the relief of E. Shiver, of Dale county ;

Was read twice, and referred to the committee on public lands.

House bill to amend section 1203 of the code ;

Was read twice, and referred to the committee on roads, bridges, and ferries.

House bill to provide for insane convicts sent from the Penitentiary to the Alabama insane hospital ;

Was read twice, and referred to the committee on insane hospital.

House bill for the relief of Wm. A. Rose :

Was read twice, and referred to the committee on county boundaries.

House bills—

To give jurisdiction of the estate of Wm. Garner to the judge of probate of Bibb county ;

To increase the capital stock of the Selma insurance and trust company, and the planters' and merchants' insurance company ;

To amend the charter of the city of Huntsville ;

To repeal an act to authorize justices of the peace to appoint overseers of roads, and for other purposes, in the county of Coosa ;

To increase the capital stock of the Woodville insurance company ;

Were severally read three times, forthwith, and passed.

Mr. Payne, from the committee on education, to whom was referred the report of the trustees of the University of Alabama, reported that they did not consider any immediate legislation necessary relative to the University, other than the election of trustees to fill vacancies in the Board, which occur in the 3d, 6th, 7th, and 10th judicial circuits.

Your committee recommend that the report of the Board of Trustees be spread upon the journal of the Senate.

To His Excellency the Governor, the Senate,

and House of Representatives of the State of Alabama :

1. The Trustees of the University of Alabama respectfully represent, that the trustees of the University met as usual at their annual session. The trustees have the satisfaction to inform your honorable bodies that they found the University in a prosperous condition. The number of cadets in attendance was greater than at any previous meeting of the Board, and, although in the midst of so much excitement and preparation for the conflict of arms, it is gratifying to witness the degree of attention and interest manifested by the cadets in their studies, as well as the order and discipline which uniformly obtains.

2. The trustees instituted, as is always their custom, a critical examination of the finances of the University, and found them to be in a very sound and satisfactory condition.

3. With profound regret, it becomes our painful duty to announce the death of Prof. Benagh, who, at the time of his death, filled the chair of mathematics. The vacancy has since been filled by the appointment of Professor John M. Richardson, of the State of Georgia.

4. It is also their painful duty to announce the death of Professor Boggs, who, at the time of his death, was filling the chemical chair, temporarily, Dr. Mallet being still absent in the service of the Confederate States, as superintendant of laboratories. No suitable person has yet been obtained to fill this chair.

5. CORPS OF CADETS,

In consequence of the great and continually increasing number of applicants, it has been determined to increase the number of cadets to three hundred, and as this number was beyond the capacity of the permanent buildings, provision has been made for the excess by the erection of cheap but comfortable shantys. This does not entail any additional expense upon the University, as the tuition fees will pay the expense of their erection. The trustees in this were influenced by a desire not only to extend the sphere of usefulness of the University, but also to add permanently to its strength, in the confident belief that the State would increase the permanent buildings of the University, so as to make this great institution commensurate with the wants of the community. If the necessary accommodation could be furnished, the number could now be raised to four hundred. In the admission of cadets, all applicants over eighteen years of age have been excluded, unless exempt from Confederate service.

6. MILITARY ORGANIZATION.

The corps has been divided into three companies—one artillery company with three pieces of artillery; one company of light infantry, and one rifle company. The governor has ordered harness for the artillery and 100 rifles for the rifle company; neither of which have yet been received. The corps is in process of thorough training and equipment for the field, if ordered to any part of the State. Horses have been obtained for the artillery at no other expense than that of keeping them. We cannot conclude this part of our report without expressing our admiration of the precision of drill which the cadets have attained.

7. EXPENSES OF CADETS.

Notwithstanding the enormous increase in price of all the necessaries of life, food, clothing, &c., it is estimated that the cost to each cadet will not exceed \$800 per session of ten months, including board, clothing, tuition, washing, medical

fee, &c. Neither the fees for tuition or the officers' salaries have been raised.

8. VACANCIES IN THE BOARD OF TRUSTEES.

The terms of N. H. Brown, of the 3d circuit, and M. L. Slancel, of the 7th circuit, expire at the present session of the Legislature. If A. B. Meek, Esq., was elected for the unexpired term of his predecessor, Percy Walker, of Mobile; also if ——— Walden was elected for the unexpired term of W. H. Forney, Esq., then both these places are vacant. But if these gentlemen were elected without reference to the unexpired terms of their predecessors, there is no other vacancy to fill but the two first mentioned.

All of which is respectfully submitted.

J. J. ORMOND, *Chairman.*

Senate adjourned till 10 o'clock to-morrow morning.

TUESDAY, November 17, 1863.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Mitchell, of this city.

Leave of absence was granted to Mr. Lewis.

Mr. President laid before the Senate a communication from R. C. Fariss and Wylie M. Mason, commissioners under the impressment act of Congress, which was referred to the committee on finance and taxation.

CALL OF THE DISTRICTS.

Bills were introduced—

Mr. Groce presented the memorial of Louis G. Sturdivant, which was referred to the military committee.

By Mr. Harrison, to authorize the lease of the State salt works:

Which was read twice, and referred to the committee on salt supply.

Also, to authorize the issue of treasury notes to meet the appropriation for the support of the indigent families of soldiers, &c.;

Which was read twice, and referred to the committee on finance and taxation.

By Mr. Garrett, for the relief of indigent families of soldiers, &c.;

Which was read twice, and referred to the committee on finance and taxation.

By Mr. Clarke, to raise and appropriate money in aid of the defense of the State of Alabama;

Which was read twice, and referred to a select committee of nine, viz: Messrs. Clarke, Barnes, Powell, Reavis, Harrison, Garrett, Ervin, Ligon, and Rice of Montgomery.

Mr. Peacock, from the committee on supply of cotton cards, reported favorably to the bill to provide spinning or cotton and wool cards, with an amendment by additional section as section 6 ;

Which was adopted.

Mr. Toulmin moved to add :

“ *Provided*, that no family of a soldier shall be entitled to more than one pair in any one year :

Which was adopted.

The bill was read a third time and passed.

Mr. Porter, from the judiciary committee, reported favorably to the bill to authorize registers in chancery to take forthcoming bonds in certain cases ;

Which was read a third time and passed.

Mr. Hardwick, from the committee on public lands, reported favorably to the bill to amend the law in relation to public lands ;

Which, on motion of Mr. Garrett, was made special order for 11, a. m., to-morrow.

Senate concurred in the House resolution to go into the election of a solicitor for the 8th judicial circuit, to-day, at 12, m.

Message from the House by Mr. Clitherall.

Mr. President :

The House of Representatives has appointed Messrs. Ogbourne, Dawson and Bradley a committee on the part of the House to wait on the Hon. Thomas H. Watts and inform him of his election to the office of Governor of the State of Alabama, and ascertain when it will suit him to take the oath of office.

The House asks for a like committee on the part of the Senate.

The House had adopted the following resolution :

Resolved, That with the concurrence of the Senate, the two Houses will assemble in the hall of the House on Saturday next, at 12, a. m., to elect a superintendent of education for the State of Alabama.

And has originated and passed bills—

For the relief of the heirs and representatives of John Flood McGrew ;

To authorize the judge of probate of Lowndes county to record a certain paper ;

Also, passed a bill from the Senate to repeal an act to induce railroad companies of this State to carry troops and munitions of war free of charge, &c., with an amendment thereto.

Mr. Davis, from the committee on public lands, reported favorably to the bill in relation to the State tract books ;

Which was ordered to a third reading.

Mr. McCall, from the same committee, reported favorably to the bill for the relief of E. Shivers, of Dale county :

Which was read a third time, and passed.

Message from the Governor by his private secretary, Mr. Taylor.

EXECUTIVE DEPARTMENT OF ALABAMA, }
Montgomery, November 16, 1862. }

Gentlemen of the Senate and House of Representatives of the State of Alabama :

In the vindictive and cruel war waged against us by vandal foes, many instances of individual heroism and devotion have been placed upon the records of the country, and many of the brave and noble deeds of Alabamians in gallant defense of our soil and homes, will live in history.

I desire especially at this time to call your attention to one of those deeds in which woman, exalted above the fears of her nature and the timidity of her sex, with true modesty, yet with courage and heroism, exposed herself to danger and death to advance the cause of her country and contribute actively to the defeat and capture of the enemy. During the pursuit of the raiders under Col. Straight, whose path of rapine and waste extended through the northern part of our State, Col. Forrest found his advance stopped by the destruction of the bridge over Black Creek, in Cherokee county, and himself without a guide by whose knowledge he could successfully overcome the difficulty. In this emergency Miss Emma Sansom volunteered her services as a guide to a ford where the gallant soldiers of Forrest could cross, and under the fire of the enemy, successfully guided them, nor left them until they were in full pursuit of the flying foe.

I deemed it my duty to convey to Miss Sansom my high appreciation of her courage and patriotism, and her services to the State of Alabama, as well as to the great and holy cause in which we, with our confederates, are engaged, and I now submit to the General Assembly, as the proper exponent of the feelings of the people of Alabama and the guardian of their honor, this noble deed of an Alabama maiden, that some fitting testimonial may be made, on the part of the people whom she has so nobly served, to her courage, devotion and patriotism.

A copy of the letter from this department to Miss Sansom, is herewith communicated.

JNO. GILL SHORTER.

The message was referred to a select committee composed of Messrs. Garrett, Barnes, and Hardwick.

Mr. Garrett, from the select committee, reported that the committee had waited upon the Hon. T. H. Watts, governor elect, who had designated Tuesday, the 1st December, for entering upon the duties of his office.

Message from the House by Mr. Clitherall.

Mr. President:

The House of Representatives has passed the following bills:

A bill making an appropriation for pay of members and officers of the General Assembly ;

A bill to increase the per diem of commissioners, tax collectors, and assessors of Clarke and Tuscaloosa counties ;

A bill to regulate the number and pay of grand and petit jurors in the county of Walker ;

A bill to authorize overseers of roads to serve process in certain cases ;

A bill to incorporate the Dallas oil works ;

A bill to incorporate the central city insurance company.

Mr. McCall offered the following resolutions :

1st. *Resolved*, That so much of the governor's message as refers to the State treasury, to the Confederate war tax of 1861-62, to appropriations for indigent families of soldiers, and to the salaries of State house officers, be referred to the committee on finance and taxation ;

2d. *Resolved*, That so much as refers to reports of State officers and chartered banks, be referred to the committee on banks and banking ;

3d. That so much as refers to military appropriations and the militia, be referred to the military committee ;

4th. That so much as refers to impressments for the public defense, be referred to the judiciary committee ;

5th. That so much as refers to salt and salt works, be referred to the committee on salt supply ;

6th. That so much as refers to spinning cards, be referred to the committee on cotton cards ;

7th. That so much as refers to the penitentiary, be referred to the committee on the penitentiary ;

8th. That so much as refers to the insane hospital, be referred to the committee on insane hospital ;

9th. That so much as refers to State and Confederate relations, be referred to the committee on Confederate relations ;

10th. That so much as refers to the University, be referred to the committee on the University.

Said resolutions were adopted. •

At the hour of 12, m., the Senate repaired to the hall of the House, whereupon, the two Houses, in convention, proceeded to the election of a solicitor for the 8th judicial circuit.

Messrs. James M. Arrington, J. McCaleb Wiley, and A. W. Starke, of Pike county: and Mr. W. C. Oates, of Henry county, were in nomination:

Those who voted for Mr. Arrington are, Messrs. President, Beeson, Clarke, Critcher, Garrett, Groce, Hammond, Hardwick, Hill, Ligon, Reavis, S. F. Rice, Toulmin, and Wood, of the Senate; Messrs. Armstrong, G. W. Ashe, T. P. Ashe, Ashurst, Atkinson, Barron, Bell, Benners, Bethea, Bradley, Brooks, Bryan, Bryers, Brown, Charlton, Clarke, Cobb, Coleman, Cumming, M. L. Davis, Dawson, Dent, Ellis, Fannin, Gardner, Greathouse, Hames, Hollis, Howell, John Keenan, Kilpatrick, Leeper, Ligon, Magee, Malone, Manasco, May, Modawell, John Moore, John G. Moore, McAlexander, McCain, McInnis, McClelland, Ogbourne, Orr, Price, Reid, Robeson, Ryan, Scruggs, Seay, Sibley, Taylor, Vanzandt, Vincent, and West, of the House—71.

Those who voted for Mr. Wiley are, Messrs. Barnes, Brodnax, Davis, Ervin, Jackson, McCall, Payne, Peacock, and Powell, of the Senate; Messrs. Speaker, Chisholm, Cooper, J. W. Davis, Foster, Graves, Head, Holley, Howard, McLemore, Parsons, Sykes, and Towles, of the House—22.

Those who voted for Mr. Oates are, Messrs. Brandan, Chambers, Franklin, Gafford, Greene, Jones, H. I. M. Kennon, Lawler, Nisbet, Parish, and Williams, of the House—11.

Those who voted for Mr. Starke are, Messrs. Harrison and Porter, of the Senate; Messrs. Carlisle, Cox, Evans, Lewis, Morrow, C. A. Parker, and Wolff, of the House—9.

Mr. Arrington having received 71 votes, it being a majority of all the votes given, Mr. Speaker declared him duly and constitutionally elected solicitor for the 8th judicial circuit for the term prescribed by the constitution.

Mr. Barnes, from the committee on Confederate relations, reported a substitute for the House joint resolutions in reference to soldiers' pay;

Which substitute was adopted—yeas 22, nays 2.

Those who voted in the affirmative are, Messrs. President, Barnes, Beeson, Brodnax, Clarke, Davis, Ervin, Groce, Hammond, Hardwick, Harrison, Hill, Jackson, Ligon, McCall, Payne, Peacock, Porter, Reavis; Rice of Montgomery, Toulmin, and Wood—22.

Those who voted in the negative are, Messrs. Garrett and Powell—2.

The question being on the adoption of the resolutions, the Senate proceeded to consider them *seriatim*:

The first was adopted—yeas 24, nays 00.

Those who voted in the affirmative are, Messrs. President, Barnes, Beeson, Brodnax, Clarke, Davis, Ervin, Garrett, Groce,

Hammond, Hardwick, Harrison, Hill, Jackson, Ligon, McCall, Payne, Peacock, Porter, Powell, Reavis, Rice of Montgomery, Toulmin, and Wood—24.

The second and third resolutions were adopted—yeas 24, nays 00

Those who voted in the affirmative are, Messrs. President, Barnes, Beeson, Brodnax, Clarke, Davis, Ervin, Garrett, Groce, Hammond, Hardwick, Harrison, Hill, Jackson, Ligon, McCall, Payne, Peacock, Porter, Powell, Reavis, Rice of Montgomery, Toulmin, and Wood—24.

Senate then adjourned till 10 o'clock to-morrow morning.

WEDNESDAY, November 18, 1863.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Tichenor, of this city.

On motion of Mr. Powell, the vote referring the bill to raise and appropriate money in aid of the military defense of Alabama to a select committee, was reconsidered.

The bill was laid on the table, and 133 copies were ordered to be printed.

Mr. Porter, from the committee on enrolled bills, reported the following as correctly enrolled :

To abolish the office of auditor of public accounts in the county of Mobile ;

For the relief of Lindsey C. Spratling, of Chambers county ;

To authorize Dr. J. S. Hays to erect a mill dam across the Warrior river at Hyche Shoals, in Walker county ;

To authorize A. T. Kannady to erect a fish trap in a portion of the Coosa river ;

To authorize the governor to suspend the right of licensed retailers of spirituous liquors to retail spirituous liquors within ten miles of a military encampment, &c.

Mr. Powell moved to reconsider the vote on adopting the first of the joint resolutions in reference to soldiers' pay ;

Which motion was lost—yeas 2, nays 21.

Those who voted in the affirmative are Messrs. Critcher and Powell—2.

Those who voted in the negative are, Messrs. President, Barnes, Beeson, Brodnax, Clarke, Davis, Ervin, Garrett, Groce, Hardwick, Harrison, Hill, Jackson, Ligon, McCall, Payne, Porter, Rice of Montgomery, Toulmin, and Wood—21.

Mr. Powell moved to reconsider with the view of offering a substitute for the same, which was submitted ; and he asked

that the same be spread upon the journal, which was granted.
It was as follows :

Be it resolved by the Senate and House of Representatives of the State of Alabama in General Assembly convened, That the right of a people to alter or abolish any form of government, whenever the same becomes subversive of the rights of such people, is an unalienable right asserted and maintained by our revolutionary fathers, in their struggle for independence; that the people of the Southern States having exercised such right and separated themselves from the government of the United States, such separation was then, and is now, intended to be final, complete, and eternal—for the maintenance of which duty and patriotism alike call for the united efforts and entire resources of the whole people.

Message from the House by Mr. Clibberrall.

Mr. President :

The House of Representatives has originated and passed bills :

To amend section 1143 of the code ;

For the relief of those counties which are overrun by the public enemy ;

For the relief of certain government contractors ;

Regulating omnibus charges ;

In regard to advertising absconding slaves ;

To provide for repairs on the State capitol ;

To authorize the destruction of mutilated treasury note change bills ;

To authorize F. C. Pinkston to erect a gate across the Ray road in Montgomery county ;

To amend the act in relation to the support of indigent families of soldiers ;

To regulate the election of commissioners of revenue and roads in Marion county ;

And has passed Senate bill :

To authorize the governor to lease the public lands for certain purposes ;

Also, a bill in relation to the support of indigent families of soldiers, approved August 29, 1863.

The caption of the House joint resolutions in reference to soldiers' pay, was amended by adding the words : "and the justice of the Confederate cause."

Mr. Barnes, from the judiciary committee, reported favorably to the bill to repeal and modify an act to regulate judicial proceedings, approved December 10, 1861, with the following amendment : amend by additional sections 6 and 7, and that section 6 be numbered 8 ;

Said amendments were adopted, and the bill read a third time, and passed—yeas 19, nays 4.

Those who voted in the affirmative are, Messrs. President, Barnes, Beeson, Clarke, Davis, Ervin, Groce, Hardwick, Harrison, Hill, Jackson, Ligon, McCall, Payne, Porter, Reavis, Rice of Montgomery, Toulmin, and Wood—19.

Those who voted in the negative are, Messrs. Brodnax, Critcher, Garrett, and Moren—4.

At the hour of 12 o'clock the Senate proceeded to consider the special order, it being the resolution of the House proposing to elect trustees of the University on Friday next, at 12. m., for the 3d, 6th, 7th and 10th circuits ;

Which was adopted.

House resolution to elect a superintendent of education for the State of Alabama on Saturday next, at 12. m., was postponed until Saturday, at 10 o'clock.

House resolution to elect a State printer on Saturday next, at 12. m., and also Confederate States Senator, was, on motion of Mr. Reavis, amended by striking out "Saturday" and inserting "Friday," and as amended was concurred in.

Message from the Governor by Mr. Taylor.

Mr. President :

The Governor has approved the following bills which originated in the Senate :

An act to authorize A. T. Kannady to erect a fish trap in a portion of the Coosa river ;

An act to authorize the Governor of the State of Alabama to suspend the right of licensed retailers of spirituous liquors to retail or sell spirituous liquors within ten miles of any military encampments in said State, whenever he may think the public good requires it ;

An act for the relief of Lindsay C. Spratling, of the county of Chambers ;

An act to authorize Dr. J. S. Hays to erect a mill dam across the Black Warrior river at the Hyehe Shoals, in Walker county ;

An act to abolish the office of public accounts in the county of Mobile.

Mr. Rice of Montgomery reported favorably to the bill from the House to regulate the courts of the middle chancery division during the existing war ;

Which was read a third time, and passed.

House bill—To amend an act in relation to the support of indigent families of soldiers, approved August 29, 1863 ;

Was read three times and passed.

Mr. Porter, from the judiciary committee, reported adversely to the bill defining the duties of debtors and creditors in certain cases ;

Which report, on motion of **Mr. Rice** of Montgomery, was laid on the table—yeas 18, nays 4.

Those who voted in the affirmative are, Messrs. President, Beeson, Broadnax, Clarke, Davis, Ervin, Garrett, Groce, Hammond, Hardwick, Harrison, Hill, Moren, McCall, Payne, Reavis, Rice of Montgomery and Toulmin—19.

Those who voted in the negative are, Messrs. Barnes, Ligon, Porter and Powell—4.

Mr. Ligon moved to strike out " 30 " and insert " 90 " ;

Which was lost.

Mr. Garrett moved to amend as follows : "*Provided*, that this act shall not apply to debts due to minors in any manner ;"

Which was lost.

Mr. Powell moved to amend as follows :

Be it further enacted, That if it shall be made to appear upon the trial of any issue under the provisions of this act, that any debtor had the means of paying such debt at maturity, but refused or neglected to do so, and had been speculating on the money, such debtor shall not have any of the benefits of this act ;"

Which amendment was laid on the table.

Mr. Reavis moved to amend as follows :

Section —. Be it further enacted, That the Governor shall cause this act to be published in the papers of this city for four consecutive weeks, commencing the day after its approval ;

Which was adopted.

Mr. Barnes moved to amend as follows :

Provided, That the benefits of this act shall not apply in favor of any debtor who sells his property at a higher price for Confederate treasury notes than it would sell for in specie ;

Which amendment was tabled—yeas 19, nays 4.

Those who voted in the affirmative are, Messrs. President, Beeson, Brodnax, Clarke, Ervin, Groce, Hardwick, Harrison, Hill, Jackson, Ligon, Moren, McCall, Payne, Porter, Reavis, Rice of Montgomery, Toulmin and Wood—19.

Those who voted in the negative are, Messrs. Barnes, Critcher, Garrett and Powell—4.

The bill was read a third time and passed.

Senate then adjourned till 10, a. m., to-morrow.

THURSDAY, NOVEMBER 19, 1863.

Senate met pursuant to adjournment.

Prayer by Rev. Mr. Hill of the Senate.

CALL OF THE DISTRICTS.

Bills were introduced—

By Mr. Toulmin, for the relief of sick and wounded soldiers;

Which was read twice, and referred to the military committee.

By Mr. Reavis, to amend an act to regulate interest on debts in payment of which Confederate treasury notes may be tendered and refused, approved Nov. 17, 1862;

By Mr. Ligon, to detach certain counties from the middle chancery division, and attach others thereto, &c.;

Also, for the relief of Samuel B. Harman, tax collector of Macon county;

Which bills were severally read twice, and referred to the judiciary committee.

By Mr. Harrison, for the relief of the Western railroad company;

Which was read twice, and referred to the committee on internal improvements.

By Mr. Rice of Montgomery, to establish an additional ferry on the Alabama river near the city of Montgomery;

Which was read three times and passed.

Mr. Reavis, from the committee on public lands, to whom was referred the report of J. T. Bradford, commissioner of public lands, reported a bill to consolidate certain land districts therein named;

Which was read twice, and postponed till 12 o'clock, tomorrow.

Mr. Powell, from the judiciary committee, reported favorably to the bill to amend section 3600 of the code:

Which was read a third time and passed.

Mr. Moren, from the committee on insane hospital, reported favorably to the House bill to provide for insane convicts sent from the penitentiary to the hospital for insane persons;

Which was read a third time and passed.

Mr. Reavis, from the judiciary committee, reported adversely to the bill to protect the interests of minor heirs of deceased persons;

Which was concurred in.

Mr. Barnes from the same committee, reported adversely to the bill to facilitate the settlements of estates;

Which was concurred in.

Mr. Porter, from the same committee, reported favorably to

the House bill to prevent the impressment or purchase of property under false pretences ;

Which was read a third time and passed.

Mr. Ervin, from the committee on cotton cards, reported a bill to ratify and confirm the agreement of the Governor in manufacturing cotton and wool cards ;

Which was read three times and passed.

Mr. Powell, from the judiciary committee, reported adversely to the bill to allow probate judges to make publication in certain cases ;

On motion of Mr. Ervin, the report was laid on the table—yeas 14, nays 9.

Those who voted in the affirmative are, Messrs. Barnes, Brodnax, Clarke, Ervin, Garrett, Groce, Harrison, Hill, Ligon, Moren, McCall, Payne, Reavis and Toulmin—14.

Those who voted in the negative are, Messrs. President, Beeson, Davis, Hardwick, Jackson, Porter, Powell, Rice of Montgomery and Wood—9.

The bill was read a third time and passed—yeas 13, nays 9.

Those who voted in the affirmative are, Messrs. Barnes, Brodnax, Clarke, Ervin, Groce, Harrison, Hill, Ligon, Moren, McCall, Payne, Reavis and Toulmin—13.

Those who voted in the negative are, Messrs. President, Beeson, Davis, Garrett, Hardwick, Jackson, Porter, Powell, Rice of Montgomery and Wood—9.

Mr. Clarke, from the judiciary committee, reported favorably to the bill to amend section 1869 and 1871 of the code ;

Which was read a third time and passed.

Also, favorably to the House bill to fix the time of the meeting of the General Assembly ;

Which was read a third time and passed.

Mr. Reavis, from the same committee, reported favorably to the House bill for the relief of B. Goldsby and others ;

Which was read a third time and passed.

Mr. Ligon, from the same committee, reported favorably to the House bill to amend an act to provide for the election of State printer, approved February 8, 1858 ;

Which was read a third time and passed.

Mr. Rice, of Montgomery, from the same committee, reported favorably to the House bill to increase the pay of jurors in this State ;

Which was read a third time, and passed.

Mr. Toulmin, from the committee on internal improvements, reported favorably to the bill to authorize the construction of a branch railroad therein named ;

Which was postponed, and made special order for 12, m., on Monday next.

Also, favorably to the bill in relation to the exemption of firemen from militia duty.

Which was read a third time, and passed.

Also, adversely to the bill to amend an act declaring who shall be exempt from militia duty in this State :

On motion of Mr. Garrett, the bill and report were laid on the table.

Also, to whom was referred the Governor's special message and report of J. M. B. Roach, upon explorations for lead, reported that no legislation was necessary upon the subject, and asked to be discharged from the further consideration of it.

The committee was discharged.

Mr. Davis, from the judiciary committee, reported favorably to the House bill to prevent illicit trading with slaves ;

Which was read a third time, and passed.

Mr. Hardwick, from the committee on county boundaries, reported favorably to the House bill for the relief of Wm. A. Rose ;

Which was read a third time, and passed---yeas 22, nays 00.

Mr. Wood, from the committee on roads, bridges and ferries, reported favorably to the House bill to amend section 1203 of the code ;

Which bill was re-committed to the judiciary committee.

On motion of Mr. Hill,

Resolved, That the committee on education be instructed to examine into the expediency of increasing the public school fund by special taxation, so as to make it sufficient to defray all the tuition expenses of the entire State.

Resolved, 2d, That, in the event the committee should deem the above course unwise for present legislation, they be requested to examine into the competency of the General Assembly to so alter the appliances of the present school fund, as to give the children of soldiers a preference to its benefits, especially such of them as have been or may be made orphans by the present war.

Message from the House by Mr. Clitherall.

House of Representatives, Nov. 19.

Mr. President :

The House of Representatives has originated and passed bills
For the relief of the heirs of Catharine Baker ;

To amend sections 430, 431 and 432 of the code, as to Shelby county :

To authorize the commissioners court of Clarke county to make salt, &c. ;

For the relief of Duncan Findlay, of Pike county ;

For the relief of Stephen Gibson, of Lawrence county ;

And Senate bills—

To authorize executors, administrators, and guardians to receive treasury notes, &c.;

To authorize registers in chancery to take forthcoming bonds in certain cases ;

House bills—

To authorize J. S. Moragne and R. B. Rhea to erect a bridge across Big Will's creek, in DeKalb county ;

To amend the act incorporating the Eufaula marine and fire insurance company ;

For the relief of R. Z. Barlow, tax collector of Baldwin county ;

To amend the charter of the city of Montgomery ;

To incorporate the Brundidge male and female academy ;

To incorporate the factors' and grocers' marine and fire insurance company of Mobile.

The House of Representatives has originated and passed the following bills :

A resolution confiscating estates of free persons of color residing out of the limits of the Confederate States or slave States :

Joint resolution donating a section of land and medal to Miss Emma Sansom, of Cherokee county, in consideration of public services rendered by her.

Mr. Rice, of Montgomery, from the judiciary committee, reported adversely to the bill to make owners of slaves liable for property stolen.

Mr. Harrison moved to re-commit the bill to a select committee of three :

Which was lost.

Mr. Ervin moved to lay the report on the table :

Which was lost.

Senate refused to concur in the report—yeas 12, nays 12.

Those who voted in the affirmative are, Messrs. Barnes, Clarke, Davis, Garrett, Groce, Jackson, Payne, Porter, Powell, Reavis, Rice of Montgomery, and Toulmin—12.

Those who voted in the negative are, Messrs. President, Beeson, Brodnax, Critcher, Ervin, Hardwick, Harrison, Hill, Ligon, Moren, McCall, and Wood—12.

Mr. Hill moved to postpone the further consideration till Tuesday next, 12. m.

Mr. Rice, of Montgomery, moved to amend the motion, by striking out "Tuesday next," and inserting "1st December."

Which was lost.

Mr. Hill's motion was carried—yeas 14, nays 10.

Those who voted in the affirmative are, Messrs. President,

Beeson, Brodnax, Critcher, Ervin, Garrett, Hardwick, Harrison, Hill, Ligon, Moren, McCall, Toulmin, and Wood—14.

Those who voted in the negative are, Messrs. Barnes, Clarke, Davis, Groce, Jackson, Payne, Porter, Powell, Reavis, and Rice of Montgomery—10.

On motion of Mr. Garrett, reports from committees were suspended to take from the House messages, the House joint resolutions donating a section of land and medal to Miss Emma Sansom, of Cherokee county, in consideration of public services rendered by her ;

Which were read twice, and referred to a select committee composed of Messrs. Garrett, Hardwick, and Barnes; to whom was referred the Governor's special message on the same subject.

Senate adjourned till 10 o'clock to-morrow morning.

FRIDAY, November 20, 1863.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Cunningham.

Mr. Rice, of Montgomery, from the judiciary committee, made the following report :

The committee on the judiciary, to whom was referred the inquiry "whether the law of the Confederate Congress, entitled, 'an act to levy taxes for the common defense and carry on the government of the Confederate States,' approved April 24, 1863; supersedes the law of Alabama entitled, an act to prevent the distillation of grain, except under the direction and authority of the Governor, approved December 8, 1862?" have instructed me to report as follows :

There is no conflict between the Confederate law and the State law above referred to—each has a distinct field of operation. The object of the Confederate law, so far as distillers are concerned, is to collect a specified tax from them, simply because they are *engaged or intending to engage in the business of distillation*. The object of the State law is to prevent famine, destitution, pauperism, which it is supposed would result from allowing free and unrestricted distillation of grain. The State law is a clear exercise of "the police power of the State"—a power never delegated to Congress, or to the Confederate government, or to any department thereof. The Confederate law does not propose to interfere with the State law; nor does it authorize any interference with the full operation of the State law. The Confederate law does not make or authorize the inquiry, whether a distiller who is engaged in the busi-

ness of distillation, is acting in accordance with, or in opposition to the State law. It leaves that inquiry to be determined by each distiller for himself, at his own peril, subject to the State law and the State authorities.

The principles, by which all such inquiries as that here referred to the committee, should be determined, are admirably stated in a speech made by Alexander Hamilton before a committee of the convention, held in New York, to determine whether New York would ratify the constitution of the United States. The speech is reported in 2d Elliott's Debates, pp. 361, 362, 363, and is as follows :

"Sir, with respect to the subject of revenue, which was debated yesterday, it was asserted that in all matters of taxation, except in the article of imposts, the united and individual States had a concurrent jurisdiction, and that the State governments had an independent authority to draw revenues from every source but one. The truth of these positions will appear on a slight investigation. I maintain that the word *supreme* imports no more than this : that the constitution and laws made in pursuance thereof, cannot be controlled or defeated by any other law. The acts of the United States therefore, will be absolutely obligatory as to all the proper objects and powers of the general government. The States as well as individuals, are bound by these laws, but the laws of Congress are restricted to a certain sphere, and when they depart from this sphere, they are no longer supreme or binding. In the same manner, the States have certain independent powers in which their laws are supreme, for example, in the making and executing laws concerning the punishment of certain crimes, such as murder, theft, &c., the States cannot be controlled. With respect to certain other objects, the powers of the two governments are concurrent, and yet supreme. I instanced, yesterday, a tax on a specified article. Both might lay the tax—both might collect it, without clashing or interference. If the individual should be unable to pay both, the *first seizure* would hold the property. Here, the laws are not in the way of each other : they are independent and supreme.

"The case is like that of two creditors : each has a distinct demand, the debtor is held equally for the payment of both. Their suits are independent, and if the debtor cannot pay both, he who takes the first step secures his debt. That the States have an undoubted right to lay taxes in all cases in which they are not prohibited, is a position founded on the *obvious and important principle* in Confederate governments *that whatever is not expressly given to the Federal head is reserved to the members.* The truth of this principle must strike

every intelligent mind. In the first formation of government by the association of individuals, every power of the community is delegated, because the government is to extend to every possible object: nothing is reserved but the inalienable rights of mankind; but when a number of these societies unite for certain purposes, the rule *is different*, and from the plainest reason: they have already delegated their sovereignty and powers to their several governments, and these cannot be recalled and given to another without an *express act*. I submit to the committee, *whether this reasoning is not conclusive.*"

The committee unanimously agree that the State law in question is neither suspended, nor affected by the Confederate law in question.

The report was concurred in, and ordered that the State printer have it published in the city papers two insertions.

Mr. Barnes, from the same committee, reported a substitute for the bill to suppress more effectually the distillation of grain;

Which substitute was adopted, the bill read a third time, and passed.

Message from the House by Mr. Clitherall.

Mr. President:

The House of Representatives has originated and passed:

A bill to repeal in part an act to make appropriations for the military defense of the State, and other acts therein named;

A bill to authorize the county commissioners of Walker county to levy a tax for county purposes;

A bill to repeal the act to prevent extortion, approved 9th December, 1862, and other acts therein named.

The House concurs in the amendment of the Senate to the resolution proposing to elect a Senator in the Confederate Congress, and State printer.

House bill for the relief of Duncan Findlay, of Pike county;

Was read twice, and referred to the committee on 16th section.

House bill for the relief of Stephen Gibson, of Lawrence county;

Was read twice, and referred to the committee on accounts and claims.

House bills—

For the relief of counties which are overrun by the enemy;

For the relief of R. Z. Barlow, of Baldwin county;

Were severally read twice, and referred to the committee on finance and taxation.

House joint resolutions in regard to confiscating the estates of free persons of color residing beyond the limits of the Confederate or slave States;

Were referred to the committee on Confederate relations.

House bills—

To incorporate the Brundidge male and female academy of Pike county ;

To incorporate the central city insurance company of Mobile ;

Were read twice, and referred to the committee on corporations.

The Senate refused to concur in the amendment of the House to the bill to repeal an act to induce railroad companies in this State to carry troops and munitions of war, free of charge, &c.

House bills—

To amend sections 430, 431, and 432 of the code, as to Shelby county ;

To amend the law in relation to advertising absconding slaves ;

Regulating omnibus charges :

To increase the per diem of commissioners, tax collectors and assessors, of Clarke and Tuscaloosa counties ;

To authorize overseers of roads to serve process in certain cases ;

Were severally read twice, and referred to the judiciary committee.

House bill to authorize the commissioners' court of Clarke county to make salt ;

Was read twice, and referred to the committee on salt supply.

House bill to regulate the election of commissioners of roads and revenue in the county of Marion ;

Was read twice, and referred to the committee on privileges and elections.

House bills—

For the relief of the heirs and representatives of John Flood McGrew ;

For the relief of certain government contractors ;

Were severally read twice, and referred to the committee on public lands.

House bill to regulate the number and pay of grand and petit jurors in the county of Walker ;

Was read twice, and referred to a select committee composed of Messrs. Hill, Davis, and Beeson.

House bill to authorize the probate judge of Lowndes county to record a certain paper ;

Was read twice, and referred to a select committee composed of Messrs. Harrison, Payne, and Porter.

House bills—

To authorize J. S. Moragne and Rufus B. Rhea to build a bridge across Big Will's creek ;

To amend the charter of the city of Selma ;

To amend an act to incorporate the Eufaula marine and fire insurance company, &c.;

To authorize F. C. Pinkston to erect a gate across the Ray road, in Montgomery county ;

To authorize the destruction of mutilated treasury note change bills of the State of Alabama ;

To provide for repairs on the State capitol ;

To amend section 1143 of the code ;

Making an appropriation for pay of members and officers of the General Assembly ;

Were severally read three times, forthwith, and passed.

House bill to amend an act in relation to the support of indigent families of soldiers, approved August 29, 1863 ;

Was read twice.

Mr. Hardwick moved to amend by an additional section ;

Which was adopted, the bill read a third time, and passed.

House bill to repeal an act to prevent extortion ;

Was read twice.

Mr. Reavis moved to refer the bill to the judiciary committee ;

Which was lost.

Mr. Rice, of Montgomery, moved the indefinite postponement of the bill.

Mr. Toulmin moved to refer the bill to the committee on propositions and grievances ; pending which,

On motion of Mr. Jackson, the vote by which the bill to fix the time of the meeting of the General Assembly was passed was reconsidered, as also the vote ordering it to a third reading, and the bill was placed among the orders of the day.

At 12, m., the Senate repaired to the hall of the House, when the two Houses, in convention, proceeded to the election of trustees of the University.

The first in order was trustee for the 3d judicial circuit :

Mr. John R. Blocker alone being in nomination, and having received 102 votes, all the votes cast and a majority ;

Mr. John T. Foster, of the 7th circuit, alone being in nomination, and having received 90 votes, all that were cast, and a majority ;

Mr. Geo. S. Walden of Talladega, of the 10th circuit, alone being in nomination, and having received 82 votes, all that were cast, and a majority ;

Mr. Speaker declared each of them, respectively, duly and

constitutionally elected trustees of the State University, for their respective circuits, for the time prescribed by law.

The convention then proceeded to elect a trustee for the 6th circuit :

Peter Hamilton and A. B. Meek being in nomination :

Those who voted for Mr. Hamilton are, Messrs. Barnes, Critcher, Hammond, Harrison, Hill, Ligon, Payne, Reavis, and Rice of Montgomery, of the Senate; Messrs. Ashurst, Atkinson, Bell, Benners, Bradley, Brandan, Brooks, Bryers, Carlisle, Chapman, Charlton, Cobb, Cooper, Cumming, J. W. Davis, Dent, Foster, Gardner, Greathouse, Holley, Lawler, Leeper, Ligon, Magee, Mitchell, McClelland, Nisbet, Ogbourne, E. S. C. Parker, Parsons, Seay, Sibley, Towles, Vanzandt, Vincent, and Wolff, of the House—45.

Those who voted for Mr. Meek are, Messrs. President, Beeson, Brodnax, Clarke, Davis, Ervin, Garrett, Groce, Hardwick, Moren, McCall, Porter, Powell, Toulmin, and Wood, of the Senate; Messrs. Speaker, Armstrong, G. W. Ashe, T. P. Ashe, Barron, Bryan, Brown, Chambers Chisholm, Coleman, Cox, M. L. Davis, Dawson, Ellis, Evans, Fannin, Franklin, Gafford, Graves, Greene, Hames, Hollis, Howard, Howell, Jones, John Keenan, Kilpatrick, Lewis, Malone, Manasco, May, Modawell, John Moore, John G. Moore, Morrow, McAlexander, McCain, McInnis, McLemore, Orr, Parish, C. A. Parker, Reid, Robeson, Ryan, Scruggs, Sykes, West, and Williams, of the House—63.

Mr. Meek having received 63 votes, being a majority of all the votes cast, Mr. Speaker declared him duly and constitutionally elected a trustee of the University for the time prescribed by law.

The convention then proceeded to the election of a Senator in the Congress of the Confederate States.

Mr. Groce placed in nomination the name of Hon. J. L. M. Curry, of Talladega.

Mr. Jackson placed in nomination the name of Hon. C. C. Clay, jr., of Madison.

Mr. Ogbourne placed in nomination the name of Hon. J. J. Seibels, of Montgomery.

Those who voted for Mr. Curry are, Messrs. President, Ervin, Groce, Hardwick, Harrison, Hill, Porter, Powell, Rice of Montgomery, Toulmin, and Wood, of the Senate; Messrs. Atkinson, Bethea, Brooks, Bryan, Brown, Carlisle, Charlton, Cox, Foster, Gafford, Gardner, Graves, Hames, Jones, John Keenan, John Moore, McAlexander, McInnis, Parish, Reid, Ryan, Scruggs, Taylor, and Wolff, of the House—35.

Those who voted for Mr. Clay are, Messrs. Barnes, Brodnax, Clark, Davis, Jackson, McCall, Payne, Reavis, and Rice of

Jackson, of the Senate; Messrs. Speaker, T. P. Ashe, Benners, Bryers, Chambers, Chapman, Coleman, Cumming, M. L. Davis, Dawson, Ellis, Fannin, Franklin, Hollis, Kilpatrick, May, Modawell, Nisbet, C. A. Parker, Price, Robeson, Towles, and Williams, of the House—34.

Those who voted for Mr. Seibels are, Messrs. Beeson, Critcher, Garrett, Hammond, and Ligon, of the Senate; Messrs. Armstrong, G. W. Ashe, Ashurst, Barron, Bell, Bradley, Brandan, Chisholm, Clarke, Cobb, Cooper, J. W. Davis, Dent, Evans, Greathouse, Greene, Head, Holley, Howard, Howell, Leeper, Ligon, Magee, Malone, Manasco, Morrow, McCain, McClelland, McLemore, Ogbourne, Orr, E. S. C. Parker, Parsons, Seay, Sibley, Sykes, Vanzandt, Vincent, and West, of the House—44.

Messrs. Moren, of the Senate, and Lawler, Lewis, and Mitchell, of the House, voted for Mr. R. H. Smith.

Mr. J. G. Moore, of the House, voted for Mr. John Cochran.

Mr. Moren moved that the convention adjourn till Wednesday next, at 12, m.

Which was lost—yeas 26, nays 88.

Those who voted in the affirmative are, Messrs. Ashurst, Bryan, Cooper, Cumming, M. L. Davis, Dent, Fannin, Foster, Franklin, Graves, Greathouse, Greene, Hollis, John Keenan, McLemore, Parish, Towles, Vincent, and Williams.

Those who voted in the negative are, Messrs. Speaker, Armstrong, G. W. Ashe, T. P. Ashe, Atkinson, Barron, Bell, Benners, Bethea, Bradley, Brandan, Brooks, Bryers, Brown, Carlisle, Chambers, Chapman, Charlton, Chisholm, Clarke, Cobb, Coleman, Cox, J. W. Davis, Dawson, Ellis, Evans, Gafford, Gardner, Hames, Head, Holley, Howard, Howell, Jones, Kilpatrick, Lawler, Leeper, Ligon, Magee, Malone, Manasco, May, Mitchell, Modawell, John Moore, J. G. Moore, Morrow, McAlexander, McCain, McInnis, McClelland, Nisbet, Ogbourne, Orr, C. A. Parker, E. S. C. Parker, Parsons, Price, Reid, Robeson, Ryan, Scruggs, Sibley, Sykes, Taylor, Vanzandt, West, and Wolff.

The convention then proceeded to ballot a second time :

Those who voted for Mr. Curry are, Messrs. President, Ervin, Groce, Hardwick, Harrison, Hill, Porter, Powell, Rice of Montgomery, Toulmin, and Wood, of the Senate; Messrs. Atkinson, Bethea, Brooks, Bryan, Brown, Carlisle, Charlton, Cox, Foster, Gafford, Gardner, Graves, Hames, Jones, John Keenan, John Moore, McAlexander, McInnis, Parish, Reid, Ryan, Scruggs, Taylor, and Wolff, of the House—35.

Those who voted for Mr. Clay are, Messrs. Barnes, Brodnax, Clarke, Davis, Jackson, McCall, Payne, Reavis, and Rice of Jackson, of the Senate; Messrs. Speaker, T. P. Ashe, Benners,

Bryers, Chambers, Chapman, Coleman, Cumming, M. L. Davis, Dawson, Ellis, Fannin, Franklin, Hollis, Kilpatrick, May, Modawell, Nisbet, G. A. Parker, Price, Robeson, Towles, and Williams, of the House—32.

Those who voted for Mr. Seibels are, Messrs. Beeson, Critcher, Garrett, Hammond, and Ligon, of the Senate; Messrs. Armstrong, G. W. Ashe, Ashurst, Barron, Bell, Bradley, Brandan, Chisholm, Clarke, Cobb, Cooper, J. W. Davis, Dent, Evans, Greathouse, Greene, Head, Holley, Howard, Howell, Ligon, Magee, Malone, Manasco, Morrow, McCain, McClelland, McLemore, Ogbourne, Orr, E. S. C. Parker, Parsons, Seay, Sibley-Sykes, Vanzandt, Vincent, and West, of the House—44.

Messrs. Moren, of the Senate, Lawler, Lewis, and Mitchell, of the House, voted for R. H. Smith.

Mr. J. G. Moore, of the House, voted for John Cochran.

Neither of the candidates having received a majority of the whole number of the votes given, the two Houses proceeded to the

THIRD BALLOT:

Those who voted for Mr. Curry are, Messrs. President, Corman, Ervin, Groce, Hardwick, Harrison, Hill, Porter, Rice of Montgomery, Toulmin, and Wood, of the Senate; Messrs. Atkinson, Bethea, Brooks, Bryan, Brown, Carlisle, Charlton, Cox, Foster, Gafford, Gardner, Graves, Hames, John Keenan, John Moore, McAlexander, McInnis, Parish, Reid, Ryan, Scruggs, Taylor, and Wolff, of the House—34.

Those who voted for Mr. Clay are, Messrs. Barnes, Brodnax, Clarke, Davis, Jackson, McCall, Payne, Reavis, and Rice of Jackson, of the Senate; Messrs. Speaker, T. P. Ashe, Benners, Bryers, Chambers, Chapman, Coleman, Cumming, M. L. Davis, Dawson, Ellis, Fannin, Franklin, Hollis, Jones, Kilpatrick, May, Modawell, Nisbet, C. A. Parker, Price, Robeson, Towles, and Williams, of the House—33.

Those who voted for Mr. Seibels are, Messrs. Beeson, Critcher, Garrett, Hammond, Ligon, and Powell, of the Senate; Messrs. Armstrong, G. W. Ashe, Ashurst, Barron, Bell, Bradley, Brandan, Chisholm, Clarke, Cobb, Cooper, J. W. Davis, Dent, Evans, Greathouse, Greene, Head, Holley, Howard, Howell, Leeper, Lewis, Ligon, Magee, Malone, Manasco, Morrow, McCain, McClelland, McLemore, Ogbourne, Orr, E. S. C. Parker, Parsons, Seay, Sibley, Sykes, Vanzandt, Vincent, and West, of the House—46.

Messrs. Moren, of the Senate, Lawler and Mitchell, of the House, voted for R. H. Smith.

Mr. J. G. Moore, of the House, voted for John Cochran.

FOURTH BALLOT :

Those who voted for Mr. Curry are, Messrs. President, Coleman, Ervin, Groce, Hardwick, Harrison, Hill, Porter, Rice of Montgomery, Toulmin, and Wood, of the Senate; Messrs. Atkinson, Bethea, Brown, Carlisle, Charlton, Cox, Fannin, Foster, Gardner, Graves, Hames, John Keenan, John Moore, McAlexander, McInnis, Parish, Reid, Ryan, Scruggs, Taylor, Williams, and Wolff, of the House—33.

Those who voted for Mr. Clay are, Messrs. Barnes, Brodnax, Clarke, Davis, Jackson, McCall, Payne, Reavis, and Rice of Jackson, of the Senate; Messrs. Speaker, T. P. Ashe, Benners, Brooks, Bryan, Bryers, Chambers, Chapman, Coleman, Cumming, M. L. Davis, Dawson, Ellis, Franklin, Gafford, Hollis, Jones, Kilpatrick, May, Modawell, Nisbet, C. A. Parker, Price, Robeson, and Towles, of the House—34.

Those who voted for Mr. Seibels are, Messrs. Beeson, Critcher, Garrett, Hammond, Ligon, and Powell, of the Senate; Messrs. Armstrong, G. W. Ashe, Ashurst, Barron, Bell, Bradley, Brandan, Chisholm, Clarke, Cobb, Cooper, J. W. Davis, Dent, Evans, Greathouse, Greene, Head, Holley, Howard, Howell, Leeper, Ligon, Magee, Malone, Manasco, Morrow, McCain, McClelland, McLemore, Ogbourne, Orr, E. S. C. Parker, Parsons, Seay, Sibley, Sykes, Vanzandt, Vincent, and West, of the House—45.

Messrs. Moren, of the Senate, Lawler and Mitchell, of the House, voted for R. H. Smith.

Mr. J. G. Moore, of the House, voted for John Cochran.

FIFTH BALLOT :

Those who voted for Mr. Curry are, Messrs. President, Coleman, Ervin, Groce, Hardwick, Harrison, Hill, Porter, Rice of Montgomery, Toulmin, and Wood, of the Senate; Messrs. Atkinson, Bethea, Bryan, Brown, Carlisle, Charlton, Cox, Foster, Gardner, Graves, Hames, John Keenan, John Moore, McAlexander, McInnis, Parish, Reid, Ryan, Scruggs, Taylor, and Wolff, of the House—32.

Those who voted for Mr. Clay are, Messrs. Barnes, Brodnax, Clarke, Davis, Jackson, McCall, Payne, Reavis, and Rice of Jackson, of the Senate; Messrs. Speaker, T. P. Ashe, Benners, Brooks, Bryers, Chambers, Chapman, Coleman, Cumming, M. L. Davis, Dawson, Ellis, Fannin, Franklin, Gafford, Hollis, Jones, Kilpatrick, May, Modawell, Nisbet, C. A. Parker, Price, Robeson, Towles, and Williams, of the House—35.

Those who voted for Mr. Seibels are, Messrs. Beeson, Critcher, Garrett, Hammond, Ligon, and Powell, of the Senate; Messrs. Armstrong, G. W. Ashe, Ashurst, Barron, Bell, Bradley, Bran-

dan, Chisholm, Clarke, Cobb, Cooper, J. W. Davis, Dent, Evans, Greathouse, Greene, Head, Holley, Howard, Howell, Leeper, Ligon, Magee, Malone, Manasco, Morrow, McCain, McClelland, McLemore, Ogbourne, Orr, E. S. C. Parker, Parsons, Seay, Sibley, Sykes, Vanzandt, Vincent, and West, of the House—45.

Messrs. Moren, of the Senate, Lawler and Mitchell, of the House, voted for R. H. Smith.

Mr. J. G. Moore, of the House, voted for John Cochran.

SIXTH BALLOT :

Those who voted for Mr. Curry are, Messrs. President, Coleman, Ervin, Groce, Hardwick, Harrison, Hill, Porter, Rice of Montgomery, Toulmin, and Wood, of the Senate; Messrs. Atkinson, Bethea, Bryan, Brown, Carlisle, Charlton, Cox, Foster, Gardner, Graves, Hames, John Keenan, John Moore, McAlexander, McInnis, Parish, Reid, Ryan, Scruggs, Taylor, and Wolff, of the House—32.

Those who voted for Mr. Clay are, Messrs. Barnes, Brodnax, Clarke, Davis, Jackson, McCall, Payne, Reavis, and Rice of Jackson, of the Senate; Messrs. Speaker, T. P. Ashe, Benners, Bryers, Chambers, Chapman, Coleman, Cumming, M. L. Davis, Dawson, Ellis, Fannin, Franklin, Gafford, Hollis, Jones, Kilpatrick, May, Modawell, Nisbet, C. A. Parker, Price, Robeson, Towles, and Williams, of the House—34.

Those who voted for Mr. Seibels are, Messrs. Beeson, Critcher, Garrett, Hammond, Ligon, and Powell, of the Senate; Messrs. Armstrong, G. W. Ashe, Ashurst, Barron, Bell, Bradley, Brandan, Chisholm, Clarke, Cobb, Cooper, J. W. Davis, Dent, Evans, Greathouse, Greene, Head, Holley, Howard, Howell, Leeper, Ligon, Magee, Malone, Manasco, Morrow, McCain, McClelland, McLemore, Ogbourne, Orr, E. S. C. Parker, Parsons, Seay, Sibley, Sykes, Vanzandt, Vincent, and West, of the House—45.

Messrs. Moren, of the Senate, Lawler and Mitchell, of the House, voted for R. H. Smith.

Mr. J. G. Moore, of the House, voted for John Cochran.

SEVENTH BALLOT :

Those who voted for Mr. Curry are, Messrs. President, Coleman, Ervin, Groce, Hardwick, Harrison, Porter, S. F. Rice, Toulmin, and Wood, of the Senate; Messrs. Atkinson, Bethea, Bryan, Brown, Charlton, Cox, Foster, Gafford, Gardner, Graves, Hames, Jones, John Keenan, John Moore, McAlexander, McInnis, Parish, Reid, Ryan, Scruggs, Taylor, Williams, and Wolff, of the House—33.

Those who voted for *Mr. Clay* are, *Messrs.* Brodnax, Clarke, Davis, Hill, Jackson, McCall, Payne, Reavis, and S. F. Rice, of the Senate; *Messrs.* Speaker, T. P. Ashe, Benners, Bryers, Chambers, Chapman, Coleman, Cumming, M. L. Davis, Dawson, Ellis, Fannin, Franklin, Hollis, Kilpatrick, May, Modawell, Nisbet, C. A. Parker, Price, and Robeson, of the House—30.

Those who voted for *Mr. Seibels* are, *Messrs.* Beeson, Critcher, Garrett, Hammond, Ligon, and Powell, of the Senate; *Messrs.* Armstrong, G. W. Ashe, Barron, Bell, Bradley, Brandon, Chisholm, Clarke, Cobb, Cooper, J. W. Davis, Donnell, Evans, Greathouse, Greene, Head, Holley, Howard, Howell, Leeper, Lewis, Ligon, Magee, Malone, Manasco, Morrow, McCain, McClelland, Ogbourne, Orr, E. S. C. Parker, Parsons, Seay, Sims, Sibley, Sykes, Vanzandt, Vincent, and West, of the House—45.

Messrs. Moren, of the Senate. Lawler and Mitchell, of the House, voted for R. H. Smith—3.

Messrs. Brooks and John G. Moore, of the House, voted for John Cochran—2.

Mr. Chambers moved to adjourn until Monday, 12, m.

Which was lost.

Mr. Holley moved to adjourn till to-morrow, 12, m.;

Which was carried.

The Senate then returned to its chamber.

The question being on *Mr. Toulmin's* motion to refer to the committee on propositions and grievances, the House-bill to repeal an act to prevent extortion, approved Dec. 9, 1862 ;

Pending which,

Senate adjourned till 10 o'clock to-morrow morning.

SATURDAY, NOVEMBER 21, 1863.

Senate met pursuant to adjournment.

Prayer by *Rev. Mr. Hill* of the Senate.

House resolution (special order) to elect a Superintendent of Education to-day, at 12, m., was laid on the table.

Bills were introduced—

By *Mr. Rice*, of *Montgomery*, to authorize the guardian of the children of N. Harris, deceased, to rent the real estate of his ward privately;

By *Mr. Powell*, to provide for the allotment, location, and partition of lands, held in common by two or more railroad companies;

Were severally read three times, and passed.

By *Mr. Ligon*, to amend an act to reorganize the militia;

By Mr. Rice, of *Montgomery*, joint resolutions in relation to the performance of provost guard duty by persons who are not in the army:

Were severally read twice, and referred to the military committee.

By Mr. Ligon, to authorize decrees to be made by chancellors during vacation, in certain cases, &c.:

Was read twice, and referred to the judiciary committee.

Mr. Reavis, from the judiciary committee, reported favorably to the House bill for the relief of the heirs of Hardy Abney, deceased, with the following amendment: "Provided the court shall be satisfied that all the parties interested are adults and consent to such division;"

Which amendment was adopted, the bill read a third time, and passed.

Also, from the committee on public lands, reported favorably to the House bill for the relief of certain government contractors;

Mr. Rice, of *Montgomery*, moved to amend section 2. by adding the following: "and not less than the minimum price of each legal subdivision of lands upon which the defendant has cut any timber;"

Which amendment was adopted, the bill read a third time, and passed.

Also, from the same committee, reported favorably to the House bill for the relief of the heirs and representatives of John Flood McGrew;

Which was read a third time and passed.

Mr. Payne, from the committee on finance and taxation, reported favorably to the House bill for the relief of Virginia Matthews, of Dallas county:

Mr. Harrison, from the same committee, reported favorably to the bill to consolidate the unexpended fund of the military appropriation;

Mr. Jackson, from the same committee, reported favorably to the bill further to amend an act to amend the revenue laws of this State, approved December 9, 1862:

Mr. Toulmin, from the committee on corporations, reported favorably to the House bill to incorporate the Brundidge male and female academy, of Pike county:

All of which were read a third time, and passed.

Mr. Clarke, from the committee on finance and taxation, to whom was referred the resolution instructing the committee to provide for the repayment to tax payers of amounts paid in excess of the taxes really due by them, reported a bill to relieve tax payers in certain cases;

Which was read three times, and passed.

Mr. Payne, from the committee on education, to which was referred the resolutions offered by Mr. Hill on Thursday last, reported, that as to the first resolution, it was inexpedient to increase said fund to the extent indicated.

As to the second, the committee reported that the General Assembly had no power to divert from the original purpose of the doner, that portion of the educational fund derived from the sale of 16th sections, which grant was made for the benefit of the children of said townships respectively, without distinction; nor do your committee deem it advisable to make the discrimination contemplated by said resolution, in the application of the remaining portion of said fund.

Which report was concurred in.

Mr. Payne, from the same committee, reported it inexpedient to abolish either of the offices of State or county superintendents of education.

Which report was made special order for Tuesday next.

Mr. Ervin, from the committee on finance and taxation, reported adversely to the recommendations of R. C. Fariss and W. W. Mason, commissioners under the impressment act of Congress:

Which report was concurred in.

Mr. Groce, from the committee on 16th section, reported favorably to the House bill for the relief of D. Findlay, of the county of Pike, with an amendment, as follows: "Provided, however, that this act shall not affect the legal or equitable rights of the heirs and legal representatives of the said Jacob Folmer;"

Which amendment was adopted. the bill read a third time, and passed.

Mr. Hill, from the select committee, reported favorably to the House bill to regulate the number and pay of grand and petit jurors in Walker county, with an amendment, as follows: insert the words "and may, if necessary, empannel another jury," after the word "jury" and before the word "from," in the last line of the section;

Which amendment was adopted, the bill read a third time, and passed.

Mr. Hardwick, from the select committee, reported favorably to the House joint resolutions donating a section of land and a medal to Miss Emma Sansom, of Cherokee county, &c., with amendments, as follows:

1st. In the 5th line of the first resolution, after the word "selected," insert the words "in subdivisions or otherwise;"

2d. In the 6th line of first resolution, after the word "patent" where it occurs, the words "or patents;"

And the following resolution :

Be it further Resolved, That the Governor furnish Miss Emma Sansom an authenticated copy of these resolutions, and it is further made the duty of the Governor to issue the necessary notices and instructions to land offices of this State to carry out the provisions of the first of these resolutions.

Which amendments were adopted, the resolutions were read a third time, and adopted.

Mr. Garrett, from select committee, reported favorably to the bill to amend section 623 of the code;

Which was made special order for 12, m., next Tuesday.

Mr. Harrison, from select committee, reported favorably to the bill to authorize the probate judge of Lowndes county to record a certain paper, with an amendment as section 2;

Which was adopted, the bill read a third time, and passed.

Mr. Wood, from the committee on roads, bridges and ferries, reported adversely to the bill to further provide for working the public roads;

Which report and bill were laid on the table.

Mr. Rice, of Montgomery, from the judiciary committee, reported adversely to the bill to repeal an act to suspend the statute of non-claims in certain cases;

Which bill and report were postponed till Tuesday next.

Leave of absence was granted to Mr. Morgan, assistant secretary.

On motion of Mr. Moren,

Resolved, That the secretary of the Senate is hereby authorized to employ such assistance as he may need during the absence of the assistant secretary.

Message from the House by Mr. Clitherall.

Mr. President :

The House of Representatives has originated and passed the following bills :

To amend the charter of the Eufaula home insurance company;

To attach the road leading from the eastern boundary of Adams street, in the city of Montgomery, to the Line Creek road;

Authorizing the commissioners' court of Dale county to pay a certain claim;

To remove the settlement of the guardianship of Julius C. Alford, deceased, late guardian of Julius S. Alford, from the probate court of Pike county to the probate court of Montgomery county;

To repeal a certain local act, for Cherokee county, therein named;

To amend an act in relation to the support of indigent families of soldiers, approved August 29, 1863.

Message from the Governor by Mr. Taylor.

EXECUTIVE DEPARTMENT,
Montgomery, Ala., November 20, 1863. }

Gentlemen of the Senate :

I am in receipt of a resolution of the Senate requesting the Governor "to furnish the Senate the amount of money expended or loaned to any individual or corporation ; how many stands of arms any individual or company has furnished the State, and at what price, out of the money appropriated by the 'act to encourage the manufacture of arms and munitions of war in this State ;' also what amount of money appropriated by said act has been loaned or expended, and to what purposes loaned, for the manufacture and preparation of powder, saltpetre and sulphur, and what amount of each article specified has been furnished the State by each individual or company."

In response to this resolution, I have the honor to inform the Senate that in my annual message to the last regular session of the General Assembly, I reported fully the action of the executive under the legislative act mentioned, and also all the contracts which had been entered into for the manufacture of arms and powder, and submitted for the examination of both Houses of the General Assembly, copies of all such contracts as had been made.

I stated in my message that, "By the act 'to encourage the manufacture of fire-arms and munitions of war,' approved December 8, 1861, the sum of two hundred and fifty thousand dollars was appropriated and placed under the control of the Governor, with authority to advance such portion of said sum as he might deem advisable, upon contracts made with any individual or company proposing to manufacture fire-arms in the State of Alabama. Realizing the necessity of establishing a permanent armory within the State, where fire-arms of the most approved pattern may be manufactured, and believing that purpose could be secured by devoting the entire appropriation for its encouragement, I took steps at an early day after the adjournment of the General Assembly, to procure the organization of a company which should undertake its establishment ; and on the 20th day of March, last, I concluded a contract with the "Alabama arms manufacturing company" for that purpose. A copy of the contract and of the bond executed by the company as directed by the provisions of the act, is herewith submitted for your information. The manufacture of arms upon an extended scale requires much

complex machinery and many nicely prepared tools, specially adapted to the business, and much time, labor and expense are necessarily required for their construction. The gentlemen composing the company are citizens of the State of Alabama, of large private capital, great energy of character, and of warm devotion to the State and the Confederacy."

"The company have already procured a valuable supply of tools and machinery, and under the skillful direction of its affairs there is good reason to believe that at no very distant day the company will have successfully inaugurated within the State a permanent armory for the manufacture of small arms of the most approved patterns, and unsurpassed in extent and efficiency by any similar establishment in the Confederacy."

"Under other appropriations made by the General Assembly for supplying small arms to the State, I have succeeded in closing contracts with responsible citizens of the State for the manufacture of eight thousand Mississippi rifles upon satisfactory terms, copies of which contracts are also herewith communicated. The works of Dickson, Nelson & Co., which were located in North Alabama, having been interrupted by the enemy, were removed to an adjoining State, where, after the works had been re-established, and the company was nearly ready to turn out arms, much of their valuable machinery and stock was destroyed by fire. With unflagging energy, however, they are repairing and pressing on for the fulfillment of their contract. It is believed that under the other contracts, the parties have so far advanced with the work that deliveries of arms may be confidently expected to begin in a few weeks."

"I submit a copy of a contract for the erection of a powder mill and the manufacture of powder within the State. It is hoped that before many months shall have elapsed, the State, as well as the Confederate government, may be independent of the world as to this essential munition of war."

"Purchases of private arms, to some extent, have been made, and alterations and repairs directed, so as to adapt them to service in the field. Many of them have been already issued for this purpose. For further information as to the purchase and manufacture of ordnance stores, and the quantity and description issued and on hand, the General Assembly are referred to the report of the ordnance officer having the same in charge, herewith communicated."

I now have the honor to communicate to the Senate additional copies of these contracts, and I regret to inform the Senate that no deliveries have as yet been made, except that the firm of Dickson, Nelson & Co., have advised me that they have

commenced shipments from their establishment, now located at Adairsville, Georgia, of which eighty 'guns have been received. All the contractors have encountered innumerable difficulties and backsets, but whether these were so formidable as to prevent deliveries of arms at an earlier day, is a question about which differences of opinion may obtain; and I submit for the consideration of the Senate, if it may not be expedient to appoint a commission to examine into and report the facts. The establishment of the "Alabama arms manufacturing company" is located in the city of Montgomery, and an inspection of their extensive and valuable machinery, will well repay a visit to their establishment. The shops of Messrs. Sturdevant and Wallis are in the county of Talladega.

The contract with L. V. B. Martin, Esq., for the manufacture of powder, was transferred to the Confederate Ordnance Department, through which he furnished to the State 7,286 pounds of musket and rifle powder, and he has refunded to the treasury the balance of the advance made to him on his contract.

I submit, herewith, a statement by the Military Auditor, showing the advances severally made under the contracts, and also the repayments to the State up to the present date.

JNO. GILL SHORTER.

EXECUTIVE DEPARTMENT OF ALABAMA, }
Montgomery, November 18, 1863. }

Gentlemen of the Senate and House of Representatives of the State of Alabama :

I herewith communicate the interesting report of the military aid society of Mobile, showing the operations of the society for the past year. The earnest labors of our patriotic countrywomen who compose this benevolent organization, entitle them to the highest commendation. The sick and wounded soldiers who have shared their generous hospitalities, and the needy families who have been relieved by their timely provision, with grateful hearts, will through life, invoke God's blessing upon the heads of their benefactors.

The entire appropriation made December 9, 1862, of \$14,000, in aid of this society, has been drawn from the treasury. I recommend that a further appropriation be made for the next year, or that the Governor be authorized to advance from the military fund, chargeable to the medical department, whatever reasonable amount he may deem needful to enable the society to continue its work of usefulness and benevolence.

I submit, also, the report of Hon. A. F. Hopkins, State agent for Alabama hospitals in Virginia; also the report of

Mrs. Hopkins, matron to the hospital, and the report of Dr. J. C. Clarke, chief surgeon. The entire appropriation for these hospitals has been exhausted, as will be seen by the accounts and vouchers, duly approved and filed with the military auditor. To these several reports I invite your careful attention. They differ as to the propriety of further appropriations by the State in support of hospitals in Richmond. If the General Assembly decline to make further appropriations, the furniture owned by the State should be sold or removed to some other locality where it might be supposed to be more needed.

The act of December 9, 1862, authorized the Governor to pay the superintendent of the hospital such compensation as he might deem just, taking into consideration not only the services rendered, but also the increased or diminished expenses incidental to a residence in Richmond. Judge Hopkins, the State agent and superintendent, declined all compensation, and would accept nothing from the appropriation made by the General Assembly, except the board and incidental expenses of himself and family, while attending to the duties of his humane mission.

He and his most excellent lady have devoted over two years of unremitting labor, and with unabated zeal, to the care of the sick and wounded soldiers of Alabama, and they eminently deserve the heartfelt thanks of the whole State. I submit that now, having withdrawn from this agency, if the generous and grateful appreciation of their services by the soldiers and people of Alabama, does not require that the General Assembly should provide some suitable memorial to their exalted worth and christian philanthropy.

JOHN GILL SHORTER.

Mr. Porter, from the committee on enrolled bills, reported the following as correctly enrolled :

To authorize registers in chancery to take forthcoming bonds in certain cases;

To authorize the governor to lease the public lands for certain purposes;

To authorize executors, administrators, &c., to receive Confederate treasury notes in payment for all property sold by them as such.

At 12 o'clock, m., the Senate, by invitation, repaired to the hall of the House, when the two Houses in convention resumed the election of Confederate States Senator upon which the convention adjourned yesterday.

EIGHTH BALLOT :

Those who voted for *Mr. Curry* are, *Messrs.* President, Ervin, Groce, Hardwick, Harrison, Porter, S. F. Rice, Toulmin, and Wood, of the Senate; *Messrs.* Atkinson, Bethea, Brown, Charlton, Cox, Foster, Gafford, Gardner, Graves, Hames, Jones, John Keenan, John Moore, McAlexander, McInnis, Parish, Reid, Ryan, Scruggs, Taylor, Williams, and Wolff, of the House—31.

Those who voted for *Mr. Clay* are, *Messrs.* Brodnax, Clarke, Coleman, Davis, Hill, Jackson, McCall, Payne, Reavis, and F. Rice, of the Senate; *Messrs.* Speaker, T. P. Ashe, Benners, Bryan, Bryers, Chambers, Chapman, Coleman, Cumming, M. L. Davis, Dawson, Ellis, Fannin, Franklin, Hollis, Kilpatrick, May, Modawell, Nisbet, C. A. Parker, Price, and Robeson, of the House—32.

Those who voted for *Mr. Seibels* are, *Messrs.* Beeson, Critcher, Garrett, Hammond, and Ligon, of the Senate; *Messrs.* Armstrong, G. W. Ashe, Ashurst, Barron, Bell, Bradley, Brandan, Chisholm, Clarke, Cobb, Cooper, J. W. Davis, Donnell, Evans, Greathouse, Greene, Head, Holley, Howard, Howell, Leeper, Ligon, Magee, Malone, Manasco, Morrow, McCain, McClelland, Ogbourne, Orr, E. S. C. Parker, Parsons, Seay, Sims, Sibley, Sykes, Vanzandt, Vincent, and West, of the House—44.

Those who voted for *Mr. R. H. Smith* are, *Messrs.* Moren and Powell, of the Senate, and Lawler, Lewis, and Mitchell, of the House—5.

Those who voted for *Mr. John Cochran* are, *Messrs.* Brooks and John G. Moore, of the House—2.

Neither of the candidates having received a majority of the whole number of votes cast, the convention proceeded to the

NINTH BALLOT :

Those who voted for *Mr. Curry* are, *Messrs.* President, Ervin, Groce, Hardwick, Harrison, Porter, S. F. Rice, Toulmin, and Wood, of the Senate; *Messrs.* Atkinson, Bethea, Bryan, Brown, Charlton, Cox, Evans, Foster, Gafford, Gardner, Graves, Hames, Jones, John Keenan, John Moore, McAlexander, McInnis, Parish, Reid, Ryan, Scruggs, Taylor, Williams, and Wolff, of the House—33.

Those who voted for *Mr. Clay* are, *Messrs.* Brodnax, Clarke, Coleman, Davis, Hill, Jackson, McCall, Payne, Reavis, and F. Rice, of the Senate; *Messrs.* Speaker, T. P. Ashe, Benners, Bryers, Chambers, Chapman, Coleman, Cumming, M. L. Davis, Dawson, Ellis, Fannin, Franklin, Hollis, Kilpatrick, May, Modawell, Nisbet, C. A. Parker, Price, and Robeson, of the House—31.

Those who voted for *Mr. Seibels* are, *Messrs. Beeson, Critcher, Garrett, Hammond, and Ligon*, of the Senate; *Messrs. Armstrong, G. W. Ashe, Ashurst, Barron, Bell, Bradley, Brandan, Chisholm, Clarke, Cooper, J. W. Davis, Donnell, Greathouse, Greene, Head, Holley, Howard, Howell, Leeper, Ligon, Magee, Malone, Manasco, Morrow, McCain, McClelland, Ogbourne, Orr, E. S. C. Parker, Parsons, Seay, Sims, Sibley, Sykes, Vanzandt, Vincent, and West*, of the House—42.

Those who voted for *Mr. R. H. Smith* are, *Messrs. Moren and Powell*, of the Senate, and *Lawler, Lewis, and Mitchell*, of the House—5.

Mr. Cobb, of the House, voted for *Mr. W. R. Smith*—1.

Those who voted for *Mr. John Cochran* are, *Messrs. Brooks and John G. Moore*, of the House—2.

Neither of the candidates having received a majority of the whole number of votes cast, the convention proceeded to the

TENTH BALLOT:

Those who voted for *Mr. Curry* are, *Messrs. President, Ervin, Groce, Hardwick, Harrison, Porter, S. F. Rice, Toulmin, and Wood*, of the Senate; *Messrs. Atkinson, Bell, Bethea, Bryan, Brown, Charlton, Chisholm, Cox, Evans, Foster, Gafford, Gardner, Graves, Hanes, Jones, John Keenan, John Moore, McAlexander, McInnis, McClelland, Parish, Reid, Ryan, Scruggs, Taylor, Williams, and Wolff*, of the House—36.

Those who voted for *Mr. Clay* are, *Messrs. Brodnax, Clarke, Davis, Hill, Jackson, McCall, Payne, Reavis, and F. Rice*, of the Senate; *Messrs. Speaker, T. P. Ashe, Benners, Bryers, Chambers, Chapman, Coleman, Cumming, M. L. Davis, Dawson, Ellis, Franklin, Hollis, Kilpatrick, May, Modawell, Nisbet, C. A. Parker, Price, and Robeson*, of the House—29.

Those who voted for *Mr. Seibels* are, *Messrs. Beeson, Critcher, Garrett, Hammond, Ligon and Powell*, of the Senate; *Messrs. Armstrong, G. W. Ashe, Ashurst, Barron, Bradley, Brandan, Clarke, Cobb, Cooper, J. W. Davis, Donnell, Greathouse, Greene, Head, Holley, Howard, Howell, Leeper, Ligon, Magee, Malone, Manasco, Morrow, McCain, Ogbourne, Orr, E. S. C. Parker, Parsons, Seay, Sims, Sibley, Sykes, Vanzandt, Vincent, and West*, of the House—41.

Those who voted for *Mr. R. H. Smith* are, *Messrs. Moren*, of the Senate, *Fannin, Lawler, Lewis, and Mitchell*, of the House—5.

Mr. Coleman, of the Senate, voted for *Mr. J. G. Shorter*—1.

Those who voted for *Mr. John Cochran* are, *Messrs. Brooks and J. G. Moore*, of the House—2.

Neither of the candidates having received a majority of the whole number of votes given, the convention proceeded to the

ELEVENTH BALLOT :

Those who voted for Mr. Curry are, Messrs. President, Ervin, Groce, Hardwick, Harrison, Porter, S. F. Rice, Toulmin, and Wood, of the Senate ; Messrs. Atkinson, Benners, Bethea, Bryan, Brown, Charlton, Chisholm, Coleman, Cox, Evans, Foster, Gardner, Graves, Hames, Jones, John Keenan, John Moore, McAlexander, McInnis, McClelland, Parish, Reid, Ryan, Scruggs, Taylor, Williams, and Wolff, of the House—36.

Those who voted for Mr. Clay are, Messrs. Brodnax, Clarke, Davis, Hill, Jackson, McCall, Payne, Reavis, and F. Rice, of the Senate ; Messrs. Speaker, T. P. Ashe, Bryers, Chambers, Chapman, M. L. Davis, Dawson, Ellis, Franklin, Hollis, Kilpatrick, May, Modawell, Nisbet, C. A. Parker, Price, and Robeson, of the House—26.

Those who voted for Mr. Seibels are, Messrs. Beeson, Critcher, Garrett, Hammond, Ligon, and Powell, of the Senate ; Messrs. Armstrong, G. W. Ashe, Ashurst, Barron, Bell, Bradley, Brandan, Clarke, Cooper, J. W. Davis, Donnell, Greathouse, Head, Holley, Howard, Howell, Leeper, Lewis, Ligon, Magee, Malone, Manasco, Morrow, McCain, Ogbourne, Orr, E. S. C. Parker, Parsons, Seay, Sims, Sibley, Sykes, Vanzandt, Vincent, and West, of the House—41.

Those who voted for Mr. R. H. Smith are, Messrs. Moren, of the Senate, Fannin, Lawler and Mitchell, of the House—4.

Mr. Coleman, of the Senate, voted for Mr. J. G. Shorter—1.

Mr. Cobb, of the House, voted for Mr. J. A. Winston—1.

Those who voted for Mr. John Cochran are, Messrs. Brooks and J. G. Moore, of the House—2.

Neither of the candidates having received a majority of the whole number of votes given, the convention proceeded to the

TWELFTH BALLOT :

Mr. Clay's name was withdrawn.

Mr. Toulmin nominated Benjamin Fitzpatrick.

Mr. Reavis nominated Mr. Pettus, of Dallas county.

Mr. Chambers nominated Mr. J. Cochran, of Barbour.

Those who voted for Mr. Curry are, Messrs. President, Brodnax, Coleman, Ervin, Groce, Hardwick, Harrison, Hill, S. F. Rice, F. Rice, and Wood, of the Senate ; Messrs. T. P. Ashe, Atkinson, Benners, Bryan, Bryers, Brown, Charlton, Coleman, Ellis, Foster, Gardner, Graves, Hames, John Keenan, Kilpatrick, May, Modawell, John Moore, McAlexander, McInnis, Parish, Price, Reid, Robeson, Ryan, Scruggs, Taylor, Williams, and Wolff, of the House—40.

Those who voted for Mr. Fitzpatrick are, Messrs. Clarke, Jackson, Powell, and Toulmin, of the Senate; Messrs. Speaker, Armstrong, G. W. Ashe, Bethea, Bradley, Chapman, Chisholm, Cox, Evans, Howard, Howell, Magee, McClelland, Nisbet, Sykes, and Vincent, of the House—20.

Those who voted for Mr. Seibels are, Messrs. Beeson, Oritcher, Garrett, Hammond, and Ligon, of the Senate; Messrs. Ashurst, Barron, Brandan, Clarke, Cobb, Cooper, J. W. Davis, Donnell, Greathouse, Head, Holley, Leeper, Lewis, Ligon, Malone, Manasco, Morrow, McCain, Ogbourne, Orr, E. S. C. Parker, Parsons, Seay, Sims, Sibley, Vanzandt, and West, of the House—32.

Those who voted for Mr. Pettus are, Messrs. Payne, Porter, and Reavis, of the Senate; Bell, M. L. Davis, Dawson, and Hollis, of the House—7.

Those who voted for Mr. Cochran are, Messrs. Davis and McCall, of the Senate; Brooks, Chambers, Fannin, Franklin, Jones, John G. Moore, and C. A. Parker, of the House—9.

Those who voted for Mr. R. H. Smith are, Messrs. Moren, of the Senate; Lawler and Mitchell, of the House—3.

Neither of the candidates having received a majority of the whole number of votes cast, the convention proceeded to the

THIRTEENTH BALLOT

The name of Mr. Seibels was withdrawn.

Those who voted for Mr. Curry are, Messrs. President, Brodnax, Coleman, Ervin, Groce, Hardwick, Harrison, Hill, S. F. Rice, F. Rice, and Wood, of the Senate; Messrs. T. P. Ashe, Atkinson, Benners, Bryan, Bryers, Brown, Charlton, Coleman, Ellis, Foster, Gardner, Graves, Hames, Head, John Keenan, Kilpatrick, May, Modawell, John Moore, McAlexander, McInnis, Parish, Reid, Robeson, Ryan, Scruggs, Taylor, Williams, and Wolff, of the House—40.

Those who voted for Mr. Fitzpatrick are, Messrs. Beeson, Clarke, Critcher, Garrett, Hammond, Jackson, Powell, and Toulmin, of the Senate; Messrs. Speaker, Armstrong, G. W. Ashe, Ashurst, Barron, Bethea, Bradley, Brandan, Chapman, Chisholm, Clarke, Cobb, Cooper, Cox, J. W. Davis, Donnell, Evans, Greathouse, Holley, Howard, Howell, Leeper, Ligon, Magee, Malone, Manasco, McCain, McClelland, Nisbet, Orr, E. S. C. Parker, Parsons, Price, Seay, Sims, Sibley, Sykes, Vanzandt, Vincent, and West, of the House—48.

Those who voted for Mr. Cochran are, Messrs. Davis and McCall, of the Senate; Brooks, Chambers, Franklin, Jones, J. G. Moore, and C. A. Parker, of the House—8.

Those who voted for Mr. Pettus are, Messrs. Ligon, Payne,

Porter, and Reavis, of the Senate; Bell, M. L. Davis, Dawson, Fannin, and Hollis, of the House—9.

Those who voted for *Mr. R. H. Smith* are, *Messrs. Moren*, of the Senate; Lawler, Lewis, Mitchell, Morrow, and Ogbourne, of the House—6.

Neither of the candidates having received a majority of the whole number of votes cast, the convention proceeded to the

FOURTEENTH BALLOT:

Those who voted for *Mr. Curry* are, *Messrs. President, Brodnax, Coleman, Ervin, Groce, Hardwick, Harrison, Hill, Porter, S. F. Rice, F. Rice, and Wood*, of the Senate; *Messrs. T. P. Ashe, Atkinson, Bryan, Bryers, Brown, Charlton, M. L. Davis, Ellis, Foster, Gardner, Graves, Hames, Hollis, John Keenan, Kilpatrick, May, Modawell, John Moore, McAlexander, McInnis, Ogbourne, Parish, Reid, Robeson, Ryan, Scruggs, Taylor, Williams, and Wolff*, of the House—41.

Those who voted for *Mr. Fitzpatrick* are, *Messrs. Beeson, Clarke, Critcher, Garrett, Hammond, Jackson, Powell, and Toulmin*, of the Senate; *Messrs. Speaker, Armstrong, G. W. Ashe, Ashurst, Barron, Bethea, Bradley, Brandan, Chapman, Chisholm, Clarke, Cobb, Coleman, Cooper, Cox, J. W. Davis, Donnell, Evans, Greathouse, Head, Holley, Howard, Howell, Leeper, Lewis, Ligon, Magee, Malone, Manasco, McCain, McClelland, Nisbet, Orr, E. S. C. Parker, Parsons, Price, Seay, Sims, Sibley, Sykes, Vanzandt, Vincent, and West*, of the House—51.

Those who voted for *Mr. Pettus* are, *Messrs. Ligon, Moren, Payne, and Reavis*, of the Senate; Bell, Dawson, and Fannin, of the House—7.

Those who voted for *Mr. Cochran* are, *Messrs. Davis and McCall*, of the Senate; Brooks, Chambers, Franklin, and C. A. Parker, of the House—6.

Those who voted for *Mr. R. H. Smith* are, *Messrs. Lawler, Mitchell, and Morrow*, of the House—3.

Neither of the candidates having received a majority of the whole number of votes given, the convention proceeded to the

FIFTEENTH BALLOT:

The names of *Mr. Cochran* and *Mr. Pettus* were withdrawn. Senator Davis nominated *Mr. Brooks*, of Perry county.

Those who voted for *Mr. Curry* are, *Messrs. President, Brodnax, Coleman, Ervin, Groce, Hardwick, Harrison, Hill, McCall, Payne, Porter, Reavis, S. F. Rice, F. Rice, and Wood*, of the Senate; *Messrs. T. P. Ashe, Atkinson, Bell, Benners, Brooks,*

Bryan, Brown, Chambers, Charlton, Coleman, M. L. Davis, Dawson, Ellis, Foster, Gardner, Graves, Hames, Hollis, Jones, John Keenan, Lewis, May, John Moore, McAlexander, McInnis, Ogbourne, Parish, C. A. Parker, Reid, Robeson, Ryan, Scruggs, Taylor, Williams, and Wolff, of the House—50.

Those who voted for Mr. Fitzpatrick are, Messrs. Beeson, Clarke, Critcher, Garrett, Hammond, Jackson, Moren, Powell, and Toulmin, of the Senate; Messrs. Speaker, Armstrong, G. W. Ashe, Ashurst, Barron, Bethca, Bradley, Brandan, Chapman, Chisholm, Clarke, Cobb, Cooper, Cox, J. W. Davis, Donnell, Evans, Franklin, Greathouse, Head, Holley, Howard, Howell, Leeper, Ligon, Magee, Malone, Manasco, Morrow, McCain, McClelland, Nisbet, Orr, E. S. C. Parker, Parsons, Price, Seay, Sims, Sibley, Sykes, Vanzandt, Vincent, and West, of the House—52.

Those who voted for Mr. Brooks are, Messrs. Davis, of the Senate; Bryers, Kilpatrick, and Modawell, of the House—4.

Those who voted for Mr. R. H. Smith are, Messrs. Lawler and Mitchell, of the House—2.

Mr. J. G. Moore, of the House, voted for Mr. Cochran—1.

Neither of the candidates having received a majority of the whole number of votes given, the convention proceeded to the

SIXTEENTH BALLOT:

Those who voted for Mr. Curry are, Messrs. President, Brodnax, Coleman, Ervin, Groce, Hardwick, Harrison, Hill, McCall, Porter, S. F. Rice, F. Rice, and Wood, of the Senate; Messrs. T. P. Ashe, Atkinson, Bell, Benmers, Brooks, Bryan, Bryers, Brown, Chambers, Charlton, Coleman, M. L. Davis, Dawson, Ellis, Foster, Franklin, Gardner, Graves, Hames, Hollis, Jones, John Keenan, Kilpatrick, May, Modawell, John Moore, McAlexander, McInnis, Ogbourne, Parish, C. A. Parker, Reid, Robeson, Ryan, Scruggs, Taylor, Williams, and Wolff, of the House—51.

Those who voted for Mr. Fitzpatrick are, Messrs. Beeson, Clarke, Critcher, Garrett, Hammond, Jackson, Moren, Powell, and Toulmin, of the Senate; Messrs. Speaker, Armstrong, G. W. Ashe, Ashurst, Barron, Bethca, Bradley, Brandan, Chapman, Chisholm, Cobb, Cooper, Cox, J. W. Davis, Donnell, Evans, Greathouse, Head, Holley, Howard, Howell, Leeper, Lewis, Ligon, Magee, Malone, Manasco, John G. Moore, Morrow, McCain, McClelland, Nisbet, Orr, E. S. C. Parker, Parsons, Price, Seay, Sims, Sibley, Sykes, Vanzandt, Vincent, and West, of the House—52.

Those who voted for Mr. Brooks are, Messrs. Davis, Payne, and Reavis, of the Senate—3.

Those who voted for Mr. R. H. Smith are, Messrs. Lawler and Mitchell, of the House—2.

After the sixteenth ballot the Senate returned to its chamber, and adjourned till 10 o'clock Monday morning.

MONDAY, November 23, 1863.

Senate met pursuant to adjournment.

Prayer by the Rev. Dr. Nall.

On motion of Mr. Hardwick, the vote adopting the joint resolutions of the House donating a section of land and a medal to Miss Emma Sansom, of Cherokee county, was reconsidered, and again adopted—yeas 22, nays 00.

Those who voted in the affirmative are, Messrs. President, Beeson, Brodnax, Clarke, Coleman, Critcher, Ervin, Garrett, Groce, Hammond, Hardwick, Harrison, Hill, Jackson, Moren, McCall, Payne, Porter, Powell, Reavis, Rice of Montgomery, and Toulmin—22.

CALL OF THE DISTRICTS.

Bills were introduced—

By Mr. Rice, of Montgomery, to authorize the Montgomery mining and manufacturing company to construct railways to and from the different portions of their works;

Which was read twice, and referred to the committee on internal improvements.

By Mr. Moren, to increase the fees of the probate judge of Bibb county;

By Mr. Porter, to revise and amend the charter and change the name of the Shelby coal railroad company;

Which bills were read three times, forthwith, and passed.

By Mr. Rice, of Montgomery, to revise and extend the provisions of an act to prevent the practical disfranchisement of the volunteers from Alabama. &c.;

Which was read twice.

Mr. Harrison moved to refer it to the judiciary committee;

Which was lost—yeas 9, nays 12.

Those who voted in the affirmative are, Messrs. President, Beeson, Brodnax, Ervin, Hammond, Harrison, Hill, Moren, and Powell—9.

Those who voted in the negative are, Messrs. Clarke, Coleman, Critcher, Groce, Hardwick, Jackson, McCall, Payne, Porter, Reavis, Rice of Montgomery, and Toulmin—12.

The bill was read a third time, and passed.

By Mr. Coleman, for the relief of tax assessors;

Which was read twice, and referred to the committee on finance and taxation.

By Mr. Rice, of Montgomery, in relation to the lease of Jno. P. Figh & co.;

Which was read twice, and referred to the committee on salt supply.

Mr. Toulmin presented a petition from the citizens of Mobile;

Which was referred to the judiciary committee.

Message from the House by Mr. Clitherall.

Mr. President :

The House has originated and passed the following bills :

For the relief of John Mosely, tax collector of Dallas county;

Amendatory of an act to incorporate the city of Montgomery, approved December 23, 1837.

On motion of Mr. Harrison,

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of increasing the pay of sheriffs and probate judges, with leave to report by bill or otherwise.

On motion of Mr. Ervin,

Resolved, That a committee of three be appointed, to act with a like committee on the part of the House of Representatives, to make the necessary arrangements for the inauguration of the Governor elect. Hon. Thos. H. Watts, on the 1st December.

Messrs. Ervin, Payne, and Garrett, were appointed said committee.

Mr. Groce, from the committee on retrenchment, reported that they had been unable to ascertain that any offices can for the present be abolished without detriment to the State; that, in the opinion of the committee, there are no offices the salaries of which can be reduced, as the pay now received by public officers is barely sufficient for their subsistence.

Which report, on motion of Mr. Garrett, was laid on the table.

Mr. Toulmin, from the military committee, asked leave to return to the Senate, the bill for the relief of sick and wounded soldiers, and that it be referred to the committee of five to whom was referred the Governor's special message in relation to military hospitals.

The bill was so referred.

Mr. Hill, from the committee on salt supply, reported favorably to the bill to provide indigent families of soldiers with salt and cotton yarns, with an amendment by additional section, and that section 3 of the bill be made section 4;

Which amendments were adopted, the bill read a third time and passed.

Also, favorably to the bill to authorize the commissioners' court of Clarke county to make salt;

Which was read a third time, and passed.

The Senate proceeded to consider the special order, it being the bill to amend the law in relation to public lands, the question being on concurring in the report of the committee.

Mr. Rice, of Montgomery, moved to lay the report on the table;

Which was carried.

On motion of Mr. Garrett, the bill was re-committed to a select committee of three, to-wit: Messrs. Garrett, Rice of Montgomery, and Hill.

House bills—

To amend the charter of the Eufaula home insurance company;

Authorizing the commissioners' court of Dale county to pay a certain claim;

To attach the road leading from the Eastern boundary of Adams street, in the city of Montgomery, to the Line Creek road;

To remove the settlement of the guardianship of Julius C. Alford, deceased, late guardian of Julius S. Alford, from the probate court of Pike county to the probate court of Montgomery county;

To repeal a certain local act for Cherokee county therein named;

To amend an act in relation to the support of indigent families of soldiers, &c.;

All of which were severally read three times, forthwith, and passed.

House bill for the relief of John Mosely, tax collector of Dallas county;

Was read twice, and referred to the judiciary committee.

House bill amendatory of an act to incorporate the city of Montgomery;

Was read twice, and referred to the committee on corporations.

House bill to repeal in part an act making an appropriation for the military defense of the State, approved 6th February, 1861, and other acts therein named, &c.;

Was read twice, and referred to the military committee.

House bill to authorize the court of county commissioners of Walker county to levy a tax for county purposes;

Was read twice, and referred to the committee on finance and taxation.

The bill in relation to the Alabama State tract books;
Was read a third time, and passed.

House bill to fix the time of the meeting of the General Assembly of the State of Alabama being on its second reading;

Mr. Clarke moved to strike out the words "Thursday after" and insert "Wednesday before;"

Which was carried, and the bill read a third time and passed.

House bill to repeal an act to prevent extortion, approved December 9, 1862, and other acts therein named, being on its second reading;

Was referred to the judiciary committee.

At the hour of 12, m., the Senate repaired to the hall of the House, when the two Houses, in convention, resumed the balloting for Confederate States Senator.

The names of Hon'ls T. H. Watts, C. C. Clay, jr., and R. W. Walker, being in nomination.

SEVENTEENTH BALLOT :

Those who voted for Mr. Curry are, Messrs. President, Brednax, Ervin, Groce, Hardwick, Hill, Porter, and Wood, of the Senate; Messrs. Atkinson, Brooks, Carlisle, Foster, Gardner, Graves, Hames, John Keenan, May, John Moore, McAlexander, McInnis, Parish, Reid, Ryan, Scruggs, Taylor, and Wolff, of the House—26.

Those who voted for Mr. Fitzpatrick are, Messrs. Beeson, Clarke, Garrett, Moren, Powell, and Toulmin, of the Senate; Messrs. Armstrong, G. W. Ashe, Ashurst, Barron, Bethea, Bradley, Brandan, Chapman, Clarke, Cobb, Cooper, J. W. Davis, M. L. Davis, Donnell, Evans, Greathouse, Head, Holley, Howard, Howell, Leeper, Ligon, Magee, Malone, Manasco, Morrow, McCain, Orr, E. S. C. Parker, Parsons, Seay, Sims, Sibley, Sykes, Vanzandt, Vincent, West, and White, of the House—44.

Those who voted for Mr. Clay are, Messrs. Jackson, McCall, Payne, Reavis, and F. Rice, of the Senate; Messrs. T. P. Ashe, Benners, Bryers, Chambers, Coleman, Dawson, Ellis, Franklin, Hollis, Modawell, Nisbet, C. A. Parker, Price, and Williams, of the House—19.

Those who voted for Mr. Watts are, Messrs. Critcher, Harrison, and S. F. Rice, of the Senate; Messrs. Speaker, Cox, Gafford, Jones, Lewis, Mitchell, and Ogbourne, of the House—10.

Those who voted for Mr. Walker are, Messrs. Hammond, of the Senate, Charlton, Chisholm, and McClelland, of the House—4.

Mr. J. G. Moore, of the House, voted for Mr. Cochran—1.

Neither of the candidates having received a majority of the whole number of votes cast, the convention proceeded to the

EIGHTEENTH BALLOT :

Those who voted for Mr. Curry are, Messrs. President, Coleman, Ervin, Groce, Hardwick, Porter, and Wood, of the Senate; Messrs. Atkinson, Brooks, Carlisle, Gardner, Graves, Hames, John Keenan, May, John Moore, McAlexander, McInnis, Parish, Reid, Ryan, Scruggs, Taylor, and Wolff, of the House—24.

Those who voted for Mr. Fitzpatrick are, Messrs. Beeson, Clarke, Garrett, Hammond, Moren and Toulmin, of the Senate; Messrs. Armstrong, G. W. Ashe, Barron, Bethea, Bradley, Brandan, Chapman, Clarke, Cobb, Cooper, J. W. Davis, M. L. Davis, Donnell, Ellis, Evans, Greathouse, Head, Holley, Howard, Howell, Leeper, Ligon, Magee, Malone, Manasco, Morrow, McCain, McClelland, Orr, E. S. C. Parker, Parsons, Seay, Sims, Sibley, Sykes, Vanzandt, Vincent, West, and White, of the House—45.

Those who voted for Mr. Watts are, Messrs. Critcher, Harrison, Hill, and S. F. Rice, of the Senate; Messrs. Speaker, Ashurst, Cox, Gafford, Jones, Mitchell, and Ogbourne, of the House—11.

Those who voted for Mr. Clay are, Messrs. Brodnax, Jackson, McCall, Payne, Reavis, and F. Rice, of the Senate; Messrs. T. P. Ashe, Benmers, Bryers, Chambers, Coleman, Dawson, Franklin, Hollis, Modawell, Nisbet, C. A. Parker, Price, Roberson, and Williams, of the House—20.

Those who voted for Mr. Smith are, Messrs. Powell, of the Senate, Foster, Lawler, and Lewis, of the House—4.

Those who voted for Mr. Walker are, Messrs. Charlton and Chisholm, of the House—2.

Mr. J. G. Moore, of the House, voted for Mr. Cochran—1.

Neither of the candidates having received a majority of the whole number of votes cast, the convention proceeded to the

NINETEENTH BALLOT :

Those who voted for Mr. Curry are, Messrs. President, Coleman, Ervin, Groce, Hardwick, Hill, Porter, and Wood, of the Senate; Messrs. Atkinson, Brooks, Carlisle, Gardner, Hames, John Keenan, May, John Moore, McAlexander, McInnis, Parish, Reid, Ryan, Scruggs, Taylor, and Wolff, of the House—24.

Those who voted for Mr. Fitzpatrick are, Messrs. Beeson, Clarke, Garrett, Hammond, Moren, and Toulmin, of the Senate; Messrs. Armstrong, G. W. Ashe, Ashurst, Barron, Bethea, Bradley, Brandan, Chapman, Clarke, Cobb, Cooper, J. W. Davis, M. L. Davis, Donnell, Ellis, Evans, Greathouse, Head, Hol-

ley, Howard, Howell, Leeper, Ligon, Magee, Malone, Manasco, Morrow, McCain, McClelland, Orr, E. S. C. Parker, Parsons, Seay, Sims, Sibley, Sykes, Vanzandt, Vincent, West, and White, of the House—46.

Those who voted for Mr. Clay are, Messrs. Brodnax, Jackson, McCall, Payne, Reavis, and F. Rice, of the Senate; Messrs. Benners, Bryers, Chambers, Coleman, Dawson, Franklin, Hollis, Modawell, Nisbet, C. A. Parker, and Price, of the House—17.

Those who voted for Mr. Watts are, Messrs. Critcher, Harrison, and S. F. Rice, of the Senate; Messrs. Speaker, Cox, Gafford, Jones, Lewis, Mitchell, and Ogbourne, of the House—10.

Those who voted for Mr. Walker are, Messrs. T. P. Ashe, Charlton, Chisholm, Graves, and Robeson, of the House—5.

Those who voted for Mr. Smith are, Messrs. Powell, of the Senate, Foster, and Lawler, of the House—3.

Mr. J. G. Moore, of the House, voted for Mr. Cochran—1.

After the 19th ballot the Senate returned to its chamber, and adjourned till 10 o'clock to-morrow morning.

TUESDAY, November 24, 1863.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Guthiem, Jewish Priest.

CALL OF THE DISTRICTS.

Bills were introduced—

By Mr. Ligon, to amend section 1141 of the code;

Which was read twice, and referred to the judiciary committee.

By Mr. Garrett, joint resolutions for the purchase of stationery and fuel;

Which were read twice.

Mr. Harrison moved to refer them to the committee on finance and taxation;

Which was lost.

The resolutions were read a third time, and passed.

Mr. Rice, of Montgomery, from the judiciary committee, reported favorably to the bill to authorize decrees to be made in vacation by chancellors, in certain cases, &c.:

Mr. Barnes, from the same committee, reported favorably to the House bill to amend sections 430, 431, and 432 of the code, as to Shelby county;

Mr. Toulmin, from the committee on corporations, reported favorably to the bill to incorporate the Dallas oil works;

Also, favorably to the House bill to incorporate the central city insurance company;

All of which bills were severally read a third time, and passed.

Mr. Garrett, from select committee, reported favorably to the bill to amend the law in relation to the public lands, with the following proviso: Provided, however, that no person shall purchase or enter more than 80 acres of land under this act; nor shall any person make any entry under this act without first making affidavit, that he or she has not entered any public land in this State since the 1st day of May, 1861, nor shall any company or corporation make any entry under this act.

Which amendment was adopted, the bill read a third time, and passed.

Mr. Powell, from the judiciary committee, reported favorably to the bill to increase the *per diem* of commissioners, tax collectors, and assessors of Clarke and Tuscaloosa counties, with the following amendment: insert "Choctaw" after "Clarke" in the 1st section:

Which amendment was adopted, the bill read a third time, and passed.

The caption was amended by inserting "Choctaw" after "Clarke."

Mr. Clarke, from the same committee, reported favorably to the House bill to authorize overseers to serve process in certain cases, with an amendment as an additional section as section 2;

Which amendment was adopted, the bill read a third time, and passed.

The caption was amended by adding the words "and for other purposes."

Mr. Reavis, from the same committee, reported favorably to the bill to amend an act to regulate the interest on debts in payment of which Confederate treasury notes may be tendered and refused, approved November 17, 1862;

On motion of Mr. Barnes, the consideration of the bill was postponed till 11 o'clock, to-morrow.

Mr. Ligon, from the same committee, reported favorably to the bill for the relief of Samuel B. Harmon, tax collector of Macon county;

Which was read a third time, and passed—yeas 24, nays 00.

Those who voted in the affirmative are, Messrs. President, Barnes, Beeson, Clarke, Coleman, Ervin, Garrett, Groce, Hardwick, Harrison, Hill, Jackson, Ligon, Lewis, Moren, McCall, Payne, Peacock, Powell, Reavis, Rice of Montgomery, Rice of Jackson, Toulmin, and Wood—24.

Mr. Lewis, from the same committee, reported favorably to the House bill to amend section 1203 of the code:

Which was read a third time, and passed.

Also, adversely to the House bill regulating omnibus charges;

Which report, on motion of **Mr. Ligon**, was laid on the table.

On motion of **Mr. Rice**, of Montgomery, the consideration the bill was postponed till the 2d day of December.

Message from the Governor by **Mr. Taylor**.

Mr. President :

The Governor has approved the following bills, which originated in the Senate, entitled:

An act to authorize the Governor of this State to lease the public lands for certain purposes;

An act to authorize registers in chancery to take forthcoming bonds in certain cases;

An act to authorize executors, administrators, guardians, and trustees, to receive treasury notes of this State, and of the Confederate States, in payment for property sold by them as such.

Message from the House by **Mr. Clitherall**.

Mr. President:

The House of Representatives insists on its amendment to the Senate bill to repeal the act to induce railroad companies in this State to carry troops and munitions of war free of charge, &c.

The House has rejected the Senate bill for the relief of tax assessors.

The House has originated and passed bills:

For the relief of the poor of Mobile county;

To increase the pay of the county officers of Clarke county;

For the relief of L. R. Davis, of Limestone county;

To extend the time for the redemption of real estate of soldiers sold for taxes:

To require railroad companies to keep lights in their trains;

For the relief of S. and A. Dolive of Baldwin county;

To repeal section 3948 of the code;

To repeal the act imposing restrictions on the city council of Montgomery;

To amend the act to contribute to the support of the families of soldiers in the military service from the State of Alabama, approved 29th August, 1863.

House bill to amend an act to contribute to the support of the indigent families of soldiers in the military service from the State of Alabama, approved 29th August, 1863;

Was read three times, forthwith, and passed.

At 12, m., the Senate, by invitation, repaired to the hall of the House, when the two Houses, in convention, resumed the balloting for Confederate States Senator.

The names of Hon'ls J. L. M. Curry, W. M. Brooks, C. C. Clay, jr., and T. H. Watts, were withdrawn.

TWENTIETH BALLOT:

Those who voted for *Mr. Walker* are, Messrs. President, Barnes, Brodnax, Clarke, Coleman, Ervin, Groce, Hardwick, Harrison, Hill, Jackson, Ligon, Lewis, McCall, Payne, Peacock, Reavis, S. F. Rice, F. Rice, and Wood, of the Senate; Messrs. T. P. Ashe, Atkinson, Bethea, Bryan, Bryers, Carlisle, Chambers, Charlton, Chisholm, Coleman, M. L. Davis, Dawson, Ellis, Fannin, Franklin, Gafford, Gardner, Graves, Hames, Hollis, Jones, John Keenan, Lawler, May, Modawell, John Moore, McAlexander, McInnis, McClelland, Nisbet, Parish, C. A. Parker, Price, Reid, Robeson, Ryan, Scruggs, Taylor, Towles, Williams and Wolff, of the House—61.

Those who voted for *Mr. Fitzpatrick* are, Messrs. Beeson, Critcher, Garrett, Hammond, Powell, and Toulmin, of the Senate; Messrs. Speaker, Armstrong, G. W. Ashe, Ashurst, Barron, Benners, Bradley, Brandan, Chapman, Clarke, Cobb, Cooper Cox, J. W. Davis, Donnell, Evans, Greathouse, Greene, Head, Holley, Howard, Howell, Leeper, Ligon, Magee, Malone, Manasco, Morrow, McCain, Ogbourne, Orr, E. S. C. Parker, Parsons, Seay, Sims, Sibley, Sykes, Vanzandt, Vincent, West, and White, of the House—47.

Those who voted for *Mr. Smith* are, Messrs. Moren, of the Senate, Bell, Foster, Lewis, and Mitchell, of the House—5.

Mr. J. G. Moore, of the House, voted for *Mr. Cochran*—1.

Mr. R. W. Walker having received 61 votes, it being a majority of all the votes cast, *Mr. Speaker* declared him duly and constitutionally elected a Senator in the Congress of the Confederate States from the State of Alabama, his term to commence at the expiration of the term of Hon. C. C. Clay, jr., and to serve for the term prescribed by the constitution.

The convention next proceeded to elect a State Printer.

Mr. Toulmin, of the Senate, nominated Messrs. Saffold & Figures.

Mr. Rice nominated Messrs. Reid & Shorter.

Those who voted for Messrs. Saffold & Figures are, Messrs. Beeson, Brodnax, Critcher, Garrett, Hammond, Ligon, Powell, and Toulmin, of the Senate; Messrs. Armstrong, G. W. Ashe, Ashurt, Barron, Bell, Bradley, Brandan, Chapman, Charlton, Clarke, Cobb, Cooper, J. W. Davis, Donnell, Evans, Fannin, Foster, Greathouse, Head, Holley, Howard, Howell, John Kee-

nan, Lawler, Leeper, Lewis, Ligon, Magee, Malone, Manasco, Mitchell, J. G. Moore, Morrow, McCain, McClelland, Nisbet, Ogbourne, Orr, E. S. C. Parker, Parsons, Scruggs, Seay, Sims, Sibley, Sykes, Taylor, Vanzandt, Vincent, West, and White, of the House—58.

Those who voted for Messrs. Reid & Shorter are, Messrs. President, Barnes, Clarke, Coleman, Ervin, Groce, Hardwick, Harrison, Hill, Jackson, Moren, McCall, Payne, Peacock, Reavis, S. F. Rice, F. Rice, and Wood, of the Senate; Messrs. Speaker, T. P. Ashe, Atkinson, Benners, Bryan, Bryers, Carlisle, Chambers, Chisholm, Coleman, Cox, M. L. Davis, Dawson, Ellis, Franklin, Gafford, Gardner, Graves, Greene, Hames, Hollis, Jones, May, Modawell, John Moore, McAlexander, Parish, C. A. Parker, Price, Reid, Robeson, Ryan, Towles, Williams, and Wolff, of the House—53.

Messrs. Saffold & Figures having received 58 votes, it being a majority of all the votes cast, Mr. Speaker declared them duly and constitutionally elected State Printers for the term prescribed by law.

The Senate then returned to its chamber, and adjourned till 10 o'clock, to-morrow morning.

WEDNESDAY, November 25, 1863.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Tichenor, of this city.

CALL OF THE DISTRICTS.

Bills were introduced—

By Mr. Brodnax, to authorize and require the commissioners' court of Clarke county to levy a special tax for the support of the indigent families of soldiers;

Which was read twice.

Mr. Clarke moved to add the following proviso: "Provided, no tax shall be assessed on the production of salt or anything employed in its production;"

Which was adopted, the bill read a third time and passed.

By Mr. Ligon, to change the time of holding the chancery courts of the 5th, 6th, 7th, 9th, and 12th districts of the Southern chancery division of the State of Alabama;

Also, to encourage and promote the manufacture of lubricating oil;

By Mr. Ervin, to repeal the third section of an act to regulate the sale of real and personal property by executors and administrators, approved February 7, 1854;

Which bills were read twice, and referred to the judiciary committee.

By Mr. Rice, of Montgomery, for the benefit of the widow and children of James Morgan, deceased;

Which was read three times, forthwith, and passed.

By Mr. Garrett, to provide medical attendance upon the indigent families of soldiers in the Confederate army;

Which was read twice, and referred to a select committee of the practising physicians of the Senate.

On motion of Mr. Garrett,

Resolved, That the committee on the penitentiary inquire into the expediency of securing to that institution a permanent supply of good wholesome water, &c., and report by bill or otherwise.

On motion of Mr. Moren, Messrs. Ervin and Garrett were added to the select committee to whom was referred the special message of the Governor on the subject of military hospitals.

Mr. Rice, of Montgomery, from the judiciary committee, reported favorably to the House bill to prevent gaming in this State, with the following amendment: "Provided, however, that this act shall not go into effect until the first day of January next, and that nothing contained in this act shall, in any manner, affect any prosecution now pending, or any offence already committed, or which may be committed before the first day of January next against any provision of any existing law;"

Which amendment was adopted, the bill read a third time, and passed.

Mr. Moren, from the committee on internal improvements, reported favorably to the bill for the relief of the Western railroad company;

Which was read a third time, and passed.

Mr. Garrett, from the committee on finance and taxation, reported favorably to the bill for the relief of the indigent families of soldiers in the army of the Confederate States;

Which was read a third time, and passed.

Mr. Toulmin, from the military committee, reported a bill to exempt certain persons therein named from military duty in the provisional army of the Confederate States;

Which was read twice, and the further consideration of the bill postponed till to-morrow, at 12, m.

Also, from the same committee, asked leave to return to the Senate the memorial of L. G. Sturtevant, and that it be referred to the select committee of which Mr. Ligon is chairman;

Which was agreed to.

Mr. Clarke, from the same committee, reported favorably to the bill to amend an act declaring who shall be exempt from

militia duty in this State, approved August 29, 1863, with the following amendments: strike out the second section and substitute therefor additional sections as two and three:

Consideration of the report and bill was postponed and made special order for 11 o'clock, to-morrow.

Mr. Lewis, from the committee on corporations, reported favorably to the House bill to incorporate the factors' and grocers' marine and fire insurance company of Mobile, with an amendment to strike out "50,000" in the 5th and 7th sections, and insert "100,000;"

Which was adopted.

Mr. Hammond, from the committee on accounts and claims reported favorably to the House bill for the relief of Stephen Gipson, of Lawrence county;

Which was read a third time, and passed.

Mr. Lewis, from the committee on corporations, reported favorably to the House bill amendatory of an act to incorporate the city of Montgomery, approved December 23, 1837;

The consideration of which bill was postponed until to-morrow.

Message from the House by Mr. Clitherall.

House of Representatives, Nov. 25, 1863.

Mr. President:

The House of Representatives concurs in the amendments of the Senate to the House bills:

For the relief of the heirs of Hardy Abney;

For the relief of Duncan Findlay of Pike county;

To authorize the judge of probate of Lowndes to record a certain paper;

To regulate the number and pay of grand and petit jurors in Walker county;

For the relief of certain government contractors;

Joint resolutions donating a section of land and a medal to Miss Emma Sansom, of Cherokee county, in consideration of public services rendered by her.

House refuses to concur in the Senate amendment to the bill to fix the time of the meeting of the General Assembly.

The House has originated and passed bills:

To pay for the hire of servants for the present General Assembly;

To authorize the judge of the sixth judicial circuit to fix the time of holding the courts in Baldwin county;

To provide compensation for probate judges in certain cases;

For the relief of the poor in Cherokee county;

To regulate the time of holding the chancery courts in the northern division.

The House concurs in the resolution of the Senate appointing a joint committee to make arrangements for the inauguration of the Governor elect.

Messrs. Dawson, Chapman, and Ogbourne, are the House committee.

The House has adopted the following resolution, in which the concurrence of the Senate is requested:

Resolved, That a committee of two be appointed from each House of the General Assembly, to inquire and report upon the expediency of appropriating the carpeting in the capitol for military purposes, by cutting the same into suitable sizes for soldiers' blankets, and distributing said blankets to the needy soldiers from Alabama in the Confederate service, beginning with the 58th and 30th regiments.

Also, the following resolution:

Resolved, That a committee of three be appointed from each House to report the design of a new seal for the State of Alabama.

The House has passed Senate bills:

For the relief of William Hulsey, tax collector of Walker county;

To allow probate judges to appoint special administrators in certain cases;

To authorize the probate judges to appoint clerks for their offices;

To amend the law in relation to the printing and publication of the reports of the decisions of the supreme court.

The House has originated and passed bills:

For the protection of artesian salt wells;

For the relief of Lewis Anderson;

To exempt the medical superintendent of the Alabama insane hospital, and his necessary assistants, from military duty;

For the relief of N. Y. Alston;

To provide for the appointment of overseers of roads in certain cases, and to amend section 1142 of the code;

To preserve the property of non-residents;

For the relief of Edward P. Holcombe.

Senate proceeded to consider the House messages.

Senate concurred in the first resolution of the House, and Messrs. Rice of Montgomery, and Clarke, were appointed the committee on the part of the Senate;

And concurred in the second resolution, and Messrs. Harrison, Jackson, and Ligon, were appointed the committee on the part of the Senate.

Senate proceeded to consider the amendment offered by the House to the bill to repeal an act to induce railroad companies

to carry troops and munitions of war free of charge, upon which amendment the House insisted;

On motion of Mr. Barnes, the bill was laid on the table.

Senate insists on its amendment to the House bill to fix the time of the meeting of the General Assembly.

Senate concurred in the House amendment to the Senate bill to allow probate judges to appoint special administrators in certain cases.

House bills—

For the relief of the poor of Mobile county;

For the relief of Edward P. Holcombe;

For the relief of N. Y. Alston;

For the relief of S. and A. Dolive;

For the relief of the poor of Cherokee county;

For the protection of artesian salt wells in this State.

To authorize the judge of the 6th judicial circuit to fix the place of holding the circuit court of Baldwin county;

To increase the pay of the county officers of Clarke county;

Were severally read three times, and passed.

House joint resolutions—

To secure the passage of a law exempting certain persons from the payment of Confederate tax in kind;

To exempt from the payment of the tax in kind the families of soldiers whose support is derived from white labor alone;

Were severally read and adopted.

House bills—

To require railroad companies to keep lights in their trains;

To repeal section 3948 of the code;

To provide compensation for judges of probate in certain cases;

To regulate the time of holding the chancery courts in the Northern chancery division;

To preserve the property of non-residents;

Were severally read twice, and referred to the judiciary committee.

House bills—

Where real estate of soldiers is sold for taxes to extend the time for the redemption of the same;

To pay for hire of servants for the present session of the General Assembly;

Were severally read twice, and referred to the committee on finance and taxation.

House bills—

For the relief of L. R. Davis;

For the relief of Lewis Anderson;

Were severally read twice, and referred to the committee on county boundaries.

House bill to repeal an act imposing restrictions on the city council of Montgomery, &c., approved January 3, 1846;

Was read twice, and referred to the committee on corporations.

House bill to exempt the medical superintendent of the insane hospital, and his necessary assistants, from the performance of military duty;

Was read twice, and referred to the military committee.

House bill to provide for the appointment of overseers of roads in certain cases, and amendatory of section 1142 of the code;

Was read twice, and referred to the committee on roads, bridges, and ferries.

House bill to amend an act to increase the price of certain public lands;

Was read twice, and referred to the committee on public lands.

Message from the Governor by Mr. Taylor.

EXECUTIVE DEPARTMENT,
Montgomery, Ala., Nov. 25th, 1863. }

Gentlemen of the Senate and House of Representatives :

I herewith communicate a copy of a joint resolution, adopted by the General Assembly of the State of Georgia, appointing the 10th day of December next "as a day of fasting, humiliation and prayer," and respectfully requesting "the Congress of the Confederate States, the Legislatures of the different States, our army and navy, and all the people" to unite with them in strict observance of the day.

In view of our dependence upon the God of Providence, our individual and national sins, and the need of divine forgiveness and protection in this dark hour of peril to our country, I cordially concur in the recommendation made by the Governor and General Assembly of the State of Georgia, and devoutly trust that the General Assembly of Alabama will unanimously adopt the same and recommend its observance to the people of Alabama.

JNO. GILL SHORTER.

Which message was referred to a select committee, composed of Messrs. Hill, Garrett, and Coleman.

Senate proceeded to consider the special order for Monday last, which had not been reached; the question being on the favorable report of the committee to the bill to authorize the construction of a branch railroad therein named;

Mr. Rice, of Montgomery, moved to amend by adding the following proviso:

"Provided, however, that the Alabama and Tennessee river railroad company, or other corporation, or other person, shall not construct, or cause to be constructed, any branch railroad or other kind of railroad, running parallel or anything like parallel to or within five miles of any railroad, or branch railroad, which the Tennessee and Alabama central railroad company or their lawful assigns, the Mountain railroad contracting company, may be constructing under existing laws."

Pending the consideration of which, Mr. President (Mr. Clarke in the chair) having the floor,

Senate adjourned till 10 o'clock to-morrow morning.

THURSDAY, November 26, 1863.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Hill, of the Senate.

CALL OF THE DISTRICTS.

Bills were introduced—

By Mr. Rice, of Montgomery, to incorporate a manufacturing and mining company;

Also, to incorporate a rolling mill company;

Which were severally read twice, and referred to the committee on corporations.

By Mr. Powell, to amend an act therein named;

Also, to authorize the formation of volunteer companies in the first, second, and third congressional districts;

Which were severally read twice, and referred to the military committee.

By Mr. Barnes, for the relief of Berry Driver, of the county of Chambers;

Which was read three times, forthwith, and passed—yeas 22, nays 00.

Those who voted in the affirmative are, Messrs. President, Barnes, Brodnax, Coleman, Critcher, Ervin, Garrett, Hammond, Hardwick, Hill, Jackson, Ligon, Lewis, Moren, McCall, Peacock, Powell, Reavis, Rice of Montgomery, Rice of Jackson, Toulmin, and Wood—22.

By Mr. McCall, to authorize the Governor to rescind a contract therein named;

Which was read twice, and referred to the judiciary committee.

Mr. Garrett presented the petition of W. G. Delaney, of Coosa county;

Which was referred to the committee on accounts and claims.

On motion of Mr. Garrett,

Resolved, That the committee on public lands be instructed to inquire whether the State of Alabama has assumed proprietorship of any unsold Creek Indian reservations set off to heads of families under the treaty of 1832, and whether any such lands are now upon the books of the commissioner of the land office, and in what relation to other lands; if not upon the books of the said commissioner, then to inquire what control the State has over them, and what is the best disposition to be made of them.

2d. **Resolved,** That the committee report, if practicable, a descriptive list of said unsold reservations, and that they have leave to report by bill or otherwise.

Message from the House by Mr. Clitherall.

Mr. President:

The House has originated and passed the following bills:

To exempt certain persons therein named from military duty in the provisional army of the Confederate States;

To divide the county of Tuscaloosa into four commissioners' districts.

Message from the Governor by Mr. Taylor:

EXECUTIVE DEPARTMENT,
Montgomery, November 26, 1863. }

Gentlemen of the Senate and House of Representatives:

By a joint resolution, approved December 10, 1861, the Governor was authorized to ascertain from such proofs as might be furnished him, or from such as he might be able to obtain, the value of the steamer Florida, one of the passenger steamers formerly of the New Orleans and Mobile mail line, which in that day was taken possession of for public use under the order of the Governor, and afterwards placed in the naval service of the Confederate States, and upon ascertaining such value, to pay the same to the owners of said vessel out of any money in the treasury not otherwise appropriated.

Under the authority of this joint resolution, I awarded to the owners of the steamer Florida the sum of \$90,000, which was paid in the 8 per cent. bonds of the State. The award and settlement thus made was duly reported by me to the last annual session of the General Assembly.

As the vessel was turned over to the Confederate States navy, it was manifestly proper that the amount paid by the State should be refunded by the Confederate government. To attain this end, I forwarded for the consideration of Congress a full copy of the record, and of the settlement made with the owners of the vessel, and upon the 29th day of April, 1863, Congress passed an act directing the Secretary of the

Treasury to issue and deliver to the State of Alabama \$90,000 in the 8 per cent. bonds of the Confederate States, in payment for the advance made by the State to the owners of the steamer Florida. I have now to report to the General Assembly that on the 20th instant, these bonds were delivered and deposited with the State Treasurer.

As the treasury is in need of additional funds, and the bonds can be disposed of at a premium, I recommend that they be sold without delay.

I deem it proper also to report, that the bonds paid by the State to the owners of the Florida, had coupons attached for the interest from July 1st, 1862, while the coupons attached to the bonds received by the State from the Confederate government give interest from April 22d, 1863, the date of the act passed by Congress. The balance of interest due the State is \$5,840. To secure this balance promptly, I recommend that the General Assembly adopt a memorial to the Confederate Congress, asking an appropriation to refund the balance to the State.

JNO. GILL SHORTER.

Which message was referred to the committee on Confederate relations.

Mr. Coleman, from the committee on enrolled bills, reported the following as correctly enrolled:

To authorize executors, administrators, guardians, and trustees, to receive the treasury notes of this State and of the Confederate States in payment for all property sold by them as such;

To amend the law in relation to the printing and publication of the reports of the decisions of the supreme court;

For the relief of W. Hulsey, tax collector of Walker county;

To authorize the several probate judges of this State to appoint clerks for their offices;

To allow judges of probate to appoint special administrators in certain cases.

Senate proceeded to consider the bill to authorize the construction of a branch railroad therein named, which was under consideration at adjournment, yesterday, the question being upon the amendment of Mr. Rice, of Montgomery.

Mr. Harrison moved to re-commit the bill and amendment;

Which was lost.

Mr. Rice, of Montgomery, moved to postpone till Friday week, 4th December, at 12, m.;

Which was lost—yeas 5, nays 19.

Those who voted in the affirmative are, Messrs. Barnes, Harrison, Jackson, Lewis, and Rice of Montgomery—5.

Those who voted in the negative are, Messrs. President, Beeson, Brodnax, Clarke, Coleman, Critcher, Ervin, Garrett, Hammond, Hardwick, Hill, Ligon, Moren, McCall, Peacock, Reavis, Rice of Jackson, Toulmin, and Wood—19.

Mr. Rice, of Montgomery, moved to suspend the further consideration of the bill in order to take up the House messages;

Which was lost—yeas 2, nays 19.

Those who voted in the affirmative are, Messrs. Harrison, and Rice of Montgomery—2.

Those who voted in the negative are, Messrs. President, Barnes, Beeson, Brodnax, Clarke, Critcher, Ervin, Garrett, Hammond, Hardwick, Jackson, Lewis, Moren, McCall, Peacock, Reavis, Rice of Jackson, Toulmin, and Wood—19.

The amendment of Mr. Rice, of Montgomery, was lost.

Mr. Rice, of Montgomery, offered the following amendment: "Provided, however, that no branch road shall be constructed by said Alabama and Tennessee river railroad company so as to cross or intersect any road or branch which may be constructed by the Tennessee and Alabama central railroad company under existing laws;"

Which was lost—yeas 5, nays 15.

Those who voted in the affirmative are, Messrs. Harrison, Jackson, Peacock, Rice of Montgomery, and Rice of Jackson—5.

Those who voted in the negative are, Messrs. President, Barnes, Beeson, Brodnax, Clarke, Coleman, Critcher, Ervin, Hammond, Hardwick, Lewis, Moren, McCall, Toulmin, and Wood—16.

Mr. Hardwick moved to amend as follows: "Provided that none of the funds or resources now belonging to the Alabama and Tennessee river railroad company, or which may hereafter arise from the property of said company, shall be applied to the construction of any branch road until the road of said company is completed and in running order to Gadsden."

Mr. Moren moved the previous question; and the question being "Shall the main question now be put?" it was decided in the affirmative—yeas 15, nays 5.

Those who voted in the affirmative are, Messrs. President, Barnes, Beeson, Brodnax, Clarke, Ervin, Garrett, Hammond, Ligon, Lewis, Moren, Peacock, Reavis, Toulmin, and Wood—15.

Those who voted in the negative are, Messrs. Critcher, Hardwick, Harrison, Rice of Montgomery, and Rice of Jackson—5.

The bill was ordered to a third reading.

Senate proceeded to consider the special order, it being the bill to amend an act declaring who shall be exempt from military duty, &c., the question being on the amendment of the committee.

Mr. Reavis moved to suspend said special order to allow the committee on salt supply to make a report;

Which was lost--yeas 9, nays 10.

Those who voted in the affirmative are, Messrs. **Barnes**, **Bee-son**, **Hardwick**, **Harrison**, **Hill**, **Reavis**, **Rice** of **Montgomery**, and **Rice** of **Jackson**--9.

Those who voted in the negative are, Messrs. **President**, **Brodnax**, **Clarke**, **Critchler**, **Ervin**, **Hammond**, **Ligon**, **Peacock**, **Toulmin**, and **Wood**--10.

Mr. Reavis moved to amend the amendment of the committee by substitute, as follows: "That any person who makes as much as ten bushels of salt per day, on his individual account, or on account of a company or partnership in which he is concerned, who shall in good faith sell, whenever he can do so, for Confederate or State treasury notes, the salt he makes or causes to be made, in quantities called for by purchasers at a price not exceeding \$20 per bushel, shall be exempt from service in either class; and any person engaged or concerned in any way, or to any extent, in making salt, who, or any of whose associates in making salt, shall sell or exchange, or permit to be sold or exchanged for anything whatever, salt exceeding \$20 per bushel, shall be subject to enumeration and service in the second class, whether he be under or over 45 years of age, or a citizen of this State or not; provided but one person making salt for a company shall be exempt under this act."

Pending the consideration of which,

Senate adjourned till 10 o'clock, to-morrow morning.

FRIDAY, NOVEMBER 27, 1863.

Senate met pursuant to adjournment.

Prayer by the **Rev. Mr. Hill**, of the **Senate**.

CALL OF THE DISTRICTS.

Bills were introduced--

By **Mr. Barnes**, to extend the jurisdiction of probate courts in the distribution of estates;

By **Mr. Clarke**, for the relief of **William M. Seldon**, trustee;

Which bills were read three times, and passed.

By **Mr. Rice**, of **Montgomery**, to incorporate the **Montevallo** coal mining company;

Which was read twice, and referred to the committee on corporations.

By Mr. Ligon, for the relief of the minor heirs of William Lowe, deceased, of Macon county;

Also, to provide just compensation for owners of property impressed to work on public defense and which has been lost or destroyed without fault on the part of the owner;

Which bills were read twice, and referred to the judiciary committee.

Mr. Toulmin presented the memorial of Dickson, Nelson & co.; which was referred to the committee to whom was referred the special message of the Governor on the subject of arms, &c.

Mr. Ervin, from the committee on the penitentiary, to whom was referred the resolution on the subject of providing water for the penitentiary, reported a bill to provide water for the State penitentiary;

Which was read three times, and passed.

Mr. Reavis, from the judiciary committee, to whom was referred a resolution on the subject, reported a bill to prevent slaves and free negroes from trading in certain articles, and to prevent slaves from hiring their own time or going at large;

Which was read three times, and passed.

Also, reported favorably to the bill to repeal the third section of an act to regulate the sale of real and personal property by executors and administrators, approved February 7, 1854;

Also, favorably to the House bill to provide compensation for judges of probate in certain cases;

Mr. Hardwick, from the committee on county boundaries, reported favorably to the House bills

For the relief of L. R. Davis;

For the relief of Lewis Anderson;

Mr. Ligon, from the judiciary committee, reported favorably to the bill to change the time of holding the chancery courts in the 5th, 6th, 7th, 9th, and 12th districts of the southern chancery division;

Mr. Rice, of Montgomery, from same committee, reported favorably to the House bill to regulate the time of holding the courts in the northern chancery division;

Also, favorably to the House bill to preserve the property of non-residents;

Mr. Lewis, from the same committee, reported favorably to the House bill to repeal section 3948 of the code;

All of which bills were severally read a third time, and passed.

Mr. Clarke, from the same committee, reported adversely to the bill to amend an act to prohibit the distillation of grain in the State of Alabama, &c.;

Which was concurred in.

Mr. Reavis, from the committee on salt supply, reported a substitute for the bill to authorize the lease of the State salt works, with the following caption: "To provide for leasing certain State salt works and selling certain property used in carrying them on;"

Which substitute was adopted, laid on the table, and 133 copies ordered to be printed for the use of the Senate.

Mr. Toulmin, from the military committee, reported favorably to the bill to amend an act to re-organize the militia of the State of Alabama, with an amendment that section two be stricken out;

Which was adopted, the bill read a third time, and passed.

Mr. Barnes, from the judiciary committee, reported favorably to the bill to authorize the Governor to rescind a contract therein named, with an amendment by additional section as section two;

Which amendment was adopted, the bill read a third time, and passed.

Also, favorably to the bill to detach certain counties from the middle chancery division and attach others thereto, and to detach certain counties from the southern chancery division and attach others thereto, with an amendment by additional section as section three:

Which amendment was adopted, the bill read a third time, and passed.

Mr. Lewis, from the committee on internal improvements, reported favorably to the bill authorizing the Montgomery mining and manufacturing company to construct railways, &c., with an amendment by additional sections as sections three and four;

Which amendment was adopted, the bill read a third time, and passed.

Mr. Powell, from the judiciary committee, reported favorably to the bill to allow plaintiffs to be witnesses in attachment causes in certain cases, with the following amendments: 1st, add the words "or resides out of the State" after the words "removed from the State;" 2d, add the words "if the defendant had been served with process and notice" after the word "defendant;"

Which amendments were adopted, the bill read a third time, and passed.

Mr. Moren, from the select committee of physicians, report-

ed favorably to the bill to provide medical attendance upon the indigent families of soldiers, &c;

Which bill and report were laid on the table.

Message from the House by Mr. Clitherall.

Mr. President :

The House has originated and passed a bill for the relief of Lieut. J. T. Holtzclaw, of Coosa county.

Mr. Ligon, from the committee on Confederate relations, reported adversely to the House joint resolutions in regard to confiscating the estates of free persons of color residing beyond the Confederate States;

Which was concurred in.

Mr. Toulmin, from the military committee, reported favorably to the House bill to exempt the medical superintendent of the insane hospital, and his necessary assistants, from the performance of military duty;

Which was read a third time, and passed.

Mr. Hill, from the committee on salt supply, reported adversely to the bill in relation to the lease of John P. Figh & co.;

The consideration of which, on motion of Mr. Rice of Montgomery, was postponed till 12 o'clock, to-morrow.

On motion of Mr. Lewis, the vote ordering to a third reading the bill to authorize the construction of a branch railroad therein named, was reconsidered—yeas 13, nays 11.

Those who voted in the affirmative are, Messrs. Barnes, Beeson, Hardwick, Harrison, Jackson, Ligon, Lewis, Payne, Peacock, Powell, Rice of Montgomery, Rice of Jackson, and Wood—13.

Those who voted in the negative are, Messrs. President, Brodnax, Clarke, Coleman, Critcher, Ervin, Garrett, Moren, McCall, Reavis, and Toulmin—11.

Also, moved to reconsider the vote sustaining the previous question;

Which was carried,

The question being "shall the main question be now put?" was lost.

The question then recured on Mr. Hardwick's 'amendment.

On motion of Mr. Hardwick, the further consideration of the bill was postponed till half past 10 o'clock, to-morrow morning.

Senate then adjourned till 10 o'clock to-morrow morning.

SATURDAY, November 28, 1863.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Hill, of the Senate.

CALL OF THE DISTRICTS.

Bills were introduced--

By Mr. Brodnax, to consolidate the offices of county treasurer and clerk of the circuit court in Baldwin county:

By Mr. Reavis, to amend the law in relation to proving claims against estates of deceased persons in certain cases;

By Mr. Harrison, appropriating a sum of money to pay for the preparation of treasury note change bills:

By Mr. Barnes, to expedite business in the courts of probate;

By Mr. Reavis, to authorize the use of funds appropriated for military and hospital purposes to meet appropriations for the indigent families of soldiers;

All of which bills were severally read three times, forthwith, and passed.

Mr. Ervin presented the memorial of Jeremiah Fail:

Which was referred to the committee on salt supply.

Mr. Reavis introduced a bill to amend section 741 of the code;

Also, a bill to furnish food and raiment for the families of soldiers and regulate the prices of certain articles and commodities;

Which were severally read twice, and referred to the judiciary committee.

On motion of Mr. Rice, of Montgomery.

Resolved, The House of Representatives concurring, that the two Houses meet in convention in the hall of the House, to-day, at 12, m., for the purpose of electing a superintendent of education.

Senate proceeded to consider the special order, it being the bill to authorize the construction of a branch railroad therein named.

By leave, Mr. Hardwick withdrew his amendment, and offered another amendment as section six.

Mr. Rice, of Montgomery, moved to amend the amendment, by adding the following: "and nothing whatever shall be done under this act at all inconsistent with any provision contained in, or obligation created by, the 11th and 12th sections of said act to loan and appropriate the 3 per cent. fund, and its interest, approved February 18, 1860; and if any such thing is done by said company, any citizen of the State may institute a judicial proceeding to put a stop thereto."

Which was lost--yeas 8, nays 14.

Those who voted in the affirmative are, Messrs. Beeson, Cato, Harrison, Jackson, Peacock, Rice of Montgomery, Rice of Jackson, and Wood—8.

Those who voted in the negative are, Messrs. President, Barnes, Brodnax, Coleman, Ervin, Garrett, Hammond, Hardwick, Hill, Lewis, Moren, McCall, Powell, and Toulmin—14.

Mr. Rice, of Montgomery, moved to amend as follows : add to the amendment the words " Provided, however, that the Alabama and Tennessee river railroad company shall be bound and continue bound to progress with the construction of its road to such a point as it has been or may be located, to, at or near Gadsden, as fast as its means and resources of all kinds will enable it, until the completion of its road to said point at or near Gadsden, as provided in the 12th section of an act to loan and appropriate the 3 per cent. fund and its interest, approved February 18, 1860 ; and until the completion of said road to said point at or near Gadsden, no part of the means and resources of said company shall be used in any manner in constructing, or causing to be constructed, any branch authorized by or mentioned in any preceding portion of this act, and said 12th section of said act is hereby continued of full force, as well as the 11th section thereof ;"

Which was lost—yeas 4, nays 20.

Those who voted in the affirmative are, Messrs. Beeson, Harrison, Jackson, and Rice of Montgomery—4.

Those who voted in the negative are, Messrs. President, Barnes, Brodnax, Cato, Clarke, Coleman, Critcher, Ervin, Garrett, Hammond, Hardwick, Hill, Lewis, Moren, McCall, Peacock, Powell, Reavis, Toulmin, and Wood—20.

Mr. Hardwick's amendment was adopted, the bill read a third time and passed, and ordered forthwith to the House.

Message from the Governor by Mr. Taylor:

EXECUTIVE DEPARTMENT OF ALABAMA, }
Montgomery, November 28, 1863. }

Gentlemen of the Senate and House of Representatives:

It becomes my duty to inform the General Assembly that the Hon. R. W. Walker has resigned the office of judge of the supreme court of the State of Alabama, the resignation to take effect on the first day of February next. It devolves upon the General Assembly to fill the vacancy upon the bench of the supreme court which will thus be occasioned.

JNO. GILL SHORTER.

The Governor has approved the following bills which originated in the House of Representatives:

For the relief of William Hulsey, tax collector of Walker county;

To allow probate judges to appoint special administrators in certain cases;

To authorize the several probate judges of this State to appoint clerks for their offices.

Message from the House by Mr. Clitherall.

Mr. President:

The House of Representatives has originated and passed bills:

To amend the act in relation to the support of indigent families of soldiers, &c.;

To change the times of holding the courts of the 8th judicial circuit;

For the relief of James M. Calhoun;

To enable the treasurer of Calhoun county to pay over certain surplus funds;

To repeal an act approved November 9, 1861;

For the relief of the estate of O. Mazange;

To authorize the redemption of lands of alien enemies sequestered, &c., which may have been or may be sold for taxes.

House concurs in resolution of Senate proposing to elect superintendent of education this day at 12, m.

On motion of Mr. Clarke, the bill to raise and appropriate money in aid of the military defense of the State of Alabama, was taken from the table and referred to a select committee of nine, as follows: Messrs. Clarke, Reavis, Rice of Montgomery, Ervin, Garrett, Barnes, Harrison, Cato, and Moren.

Mr. Ervin, from joint committee appointed to make the necessary arrangements for the inauguration of the Governor elect on the 1st December, reported the programme, and recommended that it be published in the city papers;

Which report was concurred in.

On motion of Mr. Reavis, the bill to provide for medical attendance upon the indigent families of soldiers, was taken from the table.

Mr. Reavis moved to amend, by substitute with the following caption: "To provide for paying for medicines furnished to indigent families of soldiers from the State of Alabama in the military or naval service of the Confederate States;"

Which substitute was adopted, the bill read a third time, and passed.

On motion of Mr. Powell,

Resolved, The House of Representatives concurring, that the two Houses will meet in the hall of the House, on Monday, 30th instant, for the purpose of electing a judge of the supreme court to fill the vacancy occasioned by the resignation of the Hon. R. W. Walker.

Leave of absence was granted to Messrs. Hardwick and Critcher the remainder of the session.

Mr. Toulmin, from the committee on corporations, reported favorably to the House bill to repeal an act imposing restrictions on the city council of Montgomery, and for other purposes, approved 13th January, 1846.

Mr. Harrison moved to insert after the word "steamboat" the words "unless unavoidably detained;"

Which was carried, the bill read a third time, and passed.

At 12. m., the Senate, by invitation, repaired to the hall of the House, when the two Houses in convention proceeded to elect a superintendent of education :

Mr. Gabriel B. DuVal alone being in nomination and having received 98 votes, it being all the votes cast and a majority, was declared by Mr. Speaker duly and constitutionally elected superintendent of education for the State of Alabama for the time prescribed by law.

The Senate then returned to its chamber.

Mr. Toulmin, from the military committee, reported favorably to the bills

To authorize the formation of volunteer companies in the 1st, 2d, and 3d congressional districts;

To amend an act therein named;

Mr. Reavis, from the committee on finance and taxation, reported favorably to the House bill for the relief of those counties which are or shall be overrun by the public enemy;

Mr. Hill, from the committee on corporations, reported favorably to the bill to incorporate the Montevallo coal mining company;

Mr. Lewis, from the same committee, reported favorably to the bills

To incorporate a rolling mill company;

To incorporate a mining and manufacturing company;

Mr. Wood, from the committee on roads, bridges and ferries, reported favorably to the bill to provide for the appointment of overseers of roads in certain cases, and amendatory of section 1542 of the code;

Mr. Barnes, from the committee on finance and taxation, reported favorably to the House bill when real estate of soldiers has been sold for taxes to extend the time for the redemption of the same;

Mr. Brodnax, from the committee on privileges and elections, reported favorably to the House bill to regulate the election of commissioners of roads and revenue in the county of Marion;

Mr. Clarke, from the committee on finance and taxation, re-

ported favorably to the bill from the House to authorize the court of county commissioners of Walker county to levy a tax for county purposes;

All of which bills were severally read a third time, and passed.

Mr. Barnes, from the judiciary committee, reported a substitute for the bill for the relief of the justices of the peace in the city of Montgomery, with the caption "for the relief of the justices of the peace in the county of Montgomery;"

Which was adopted, the bill read a third time, and passed.

Mr. Toulmin, from the military committee, to whom was referred a resolution on the subject, reported a bill to increase the efficiency of the Quartermaster's department of the State of Alabama;

The consideration of the bill was postponed and made special order for half past 10 o'clock Monday next.

Mr. Garrett, from the committee on finance and taxation, reported adversely to the bill for the relief of tax assessors;

Which was concurred in.

Mr. Hammond, from the committee on accounts and claims, reported adversely to paying the account of W. G. Deloney, of Coosa county;

Which was concurred in.

House bills—

To enable the treasurer of Calhoun county to pay surplus funds in his hands to purposes therein named;

For the relief of James M. Calhoun;

To divide the county of Tuscaloosa into four commissioners' districts;

Were severally read three times, and passed.

House bill to amend an act in relation to the support of indigent families of soldiers, &c.;

Was read twice.

Mr. Rice, of Montgomery, moved to amend, by additional section;

Which was adopted, the bill read a third time, and passed.

House bill to exempt certain persons therein named from military duty in the provisional army of the Confederate States;

Was read twice.

Mr. Reavis moved to add after the words "reporter of the supreme court," the words "and librarian of the supreme court;" and at the close of the section "and the attorney general and solicitors of judicial circuits;"

Mr. Garrett moved to lay the bill on the table:

Which was lost—yeas 8, nays 9.

Those who voted in the affirmative are, Messrs. Brodnax, Cato, Ervin, Garrett, Hardwick, McCall, Peacock, and Wood—8.

Those who voted in the negative are, Messrs. Barnes, Beeson, Coleman, Harrison, Lewis, Powell, Réavis, Rice of Jackson, and Toulmin—9.

On motion of Mr. Garrett, the further consideration of the bill was postponed till 12, m., Monday next.

House bill to authorize the redemption of lands of alien enemies, sequestered to the Confederate States, which may have been or may be sold for taxes;

Was read twice, and referred to the committee on finance and taxation.

House bills—

For the relief of the estate of O. Mazange:

To repeal an act approved November 9, 1861;

To change the time of holding the circuit court in the 8th judicial circuit;

Were severally read twice, and referred to the judiciary committee.

House bill for the relief of Lieut. J. T. Holtzclaw of Coosa county;

Was read twice, and referred to the committee on accounts and claims.

Special order—The bill amendatory of an act to incorporate the city of Montgomery, approved December 23, 1837;

Was read a third time, and passed.

Mr. Ervin offered the following resolution:

Resolved, The House concurring, the two Houses will, after to-day, meet at 10 o'clock, a. m., and 7, p. m., of each day until the adjournment *sine die*.

Mr. Rice, of Montgomery, moved to lay the resolution on the table;

Pending the consideration of which,

Senate adjourned till Monday morning at 10 o'clock.

MONDAY, NOVEMBER 30, 1863.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Parker, of the House of Representatives.

CALL OF THE DISTRICTS.

Bills were introduced—

By Mr. Clarke, to amend an act to amend the revenue laws of this State, approved December 9, 1862;

By Mr. Coleman, to limit the terms of the circuit court of

Fayette county, and to change the time of holding the circuit court of the counties of Marion and Walker;

Which bills were severally read three times, and passed.

By Mr. Rice, of Montgomery, to provide just compensation to certain State officers therein named;

Which was read twice, and referred to a select committee of three, to-wit: Messrs. Garrett, Rice of Montgomery, and Clarke.

By Mr. Cato, to compensate sheriffs and other officers in certain cases, and to regulate judicial proceedings in the State of Alabama;

By Mr. Rice, of Montgomery, (with a petition) to establish a criminal court for the county of Montgomery;

By Mr. Garrett, for the relief of Osburne R. Franklin of the county of Coosa;

By Mr. Beeson, to increase the fees of the sheriff and clerks of Blount and St. Clair counties;

All of which were severally read twice, and referred to the judiciary committee.

By Mr. Reavis, in relation to the ordnance department;

Which was read twice, and referred to the military committee.

By Mr. Rice, of Montgomery, to incorporate the planters' insurance, trust, and banking company;

Which was read twice, and referred to the committee on corporations.

By Mr. Cato, joint resolutions in respect to the enforcement of the conscript law of the Confederate States;

Which were adopted.

Message from the Governor by Mr. Taylor:

EXECUTIVE DEPARTMENT OF ALABAMA, }
Montgomery, November 28, 1863. }

Gentlemen of the Senate and House of Representatives:

I have the honor to inform the General Assembly that, deeming the interests of the State required it, I appointed Alexander B. Clitherall on the 26th March, 1862, ordnance officer for the State, and that he has discharged the duties of that position from that date with promptness and advantage to the State. The law enabling no provision for compensation for his services, I respectfully recommend such provision by the General Assembly as may be considered "just compensation" for his time and labor expended for the benefit of the State.

JNO. GILL SHORTER.

Message from the House by Mr. Clitherall.

Mr. President:

The House of Representatives has originated and passed bills:

To emend an act to re-organize the militia of the State of Alabama, approved August 29, 1863;

To increase the fees of judges of probate and other public officers of this State;

To exempt Jno. Jelicho from military duty;

To change the name of Louisa Cecelia Talbot;

To increase the fees of jailors;

To regulate solicitors' fees;

To enable married women to more effectually recover property secured to them by the code;

To contribute to the support of indigent families of soldiers in the military service from the State of Alabama.

Mr. Hill, from select committee, to whom was referred the Governor's special message communicating certain resolutions of the General Assembly of the State of Georgia, reported a preamble and joint resolutions appointing Thursday, 10th day of December, 1863, as a day of fasting, humiliation and prayer;

Which were adopted.

Mr. Clarke, from the committee on finance and taxation, reported favorably to the House bill to authorize the redemption of lands of alien enemies sequestered to the Confederate States which have been or may be sold for taxes;

Mr. Rice, from the judiciary committee, reported favorably to the House bills:

To change the time of holding the circuit courts in the 8th judicial circuit;

To repeal an act approved November 9, 1861;

For the relief of John Mosely, tax collector of Dallas county;

Which bills were read a third time, and passed.

On motion of Mr. Barnes, the vote on Saturday adopting the resolution as to the election of a supreme court judge, was reconsidered.

The resolution was amended by striking out "Monday, 30th," and inserting "Thursday, 3d December," and thus amended was adopted.

Mr. Toulmin, from the military committee, reported favorably to the House bill to repeal in part an act making appropriation for the military defense of the State, &c., with the following proviso, as an amendment: "Provided, however, that so far as contracts have been made, or liabilities have been incurred under any of said acts, a sufficient amount of the appropriation made by said act shall be retained and reserved in the treasury to meet the same."

On motion of **Mr. Rice**, of **Montgomery**, the further consideration of the bill was postponed till 12, m., to-morrow.

Mr. Reavis, from the committee on public lands, reported a substitute for the House bill to repeal and amend an act to increase the price of certain public lands;

Which was adopted, the bill read a third time, and passed.

Mr. Barnes, from the judiciary committee, reported a substitute for the House bill to require railroad companies to keep lights on their trains;

Which was adopted, the bill read a third time, and passed.

The caption was amended by inserting the words "and water" after the word "lights."

Mr. Jackson, from the judiciary committee, reported adversely to the bill to amend section 741 of the code:

Which report was concurred in.

Mr. Reavis, from the same committee, reported favorably to the bill to provide food and raiment for the indigent families of soldiers, &c.

Mr. Barnes moved to lay the bill on the table:

Which was lost—yeas 6, nays 16.

Those who voted in the affirmative are, Messrs. Barnes, Lewis, Moren, Payne, Powell, and Toulmin—6.

Those who voted in the negative are, Messrs. President, Beeson, Brodnax, Clarke, Coleman, Ervin, Garrett, Hammond, Harrison, Hill, Jackson, McCall, Peacock, Reavis, Rice of Montgomery, and Wood—16.

Mr. Beeson moved to amend, by inserting after the word "service," in 11th line of section 4, the words "or any family of a deceased soldier;"

Which was adopted.

Mr. Garrett, at fifteen minutes past 1 o'clock, moved to adjourn until 3, p. m., to-day:

Which was lost—yeas 10, nays 12.

Those who voted in the affirmative are, Messrs. Barnes, Brodnax, Cato, Ervin, Garrett, Hammond, Lewis, McCall, Peacock, and Wood—10.

Those who voted in the negative are, Messrs. President, Clarke, Coleman, Harrison, Hill, Jackson, Moren, Payne, Powell, Reavis, Rice of Montgomery, and Toulmin—12.

Mr. Barnes moved to postpone the further consideration of the bill till to-morrow;

Which was carried—yeas 13, nays 10.

Those who voted in the affirmative are, Messrs. Barnes, Beeson, Cato, Coleman, Ervin, Garrett, Hammond, Harrison, Lewis, Moren, Payne, Peacock, and Powell—13.

Those who voted in the negative are, Messrs. President,

Brodnax, Clarke, Hill, Jackson, McCall, Reavis, Rice of Montgomery, Toulmin, and Wood—10.

House bill to amend an act to re-organize the militia of the State of Alabama, approved August 29, 1863:

Was read three times, and passed.

House bills—

To change the name of Louisa Cecelia Talbot;

To regulate solicitors' fees;

To enable married women the more effectually to recover property secured to them by the code;

Were severally read twice, and referred to the judiciary committee.

House bill to exempt John Jelicho from militia duty;

Was read twice, and referred to the military committee.

House bill to contribute to the support of the indigent families of soldiers, &c.;

Was read twice, and pending the consideration of which, on motion of Mr. Jackson,

Senate adjourned till 10 o'clock to-morrow morning.

Yeas 15, nays 7.

Those who voted in the affirmative are, Messrs. Barnes, Beeson, Cato, Clarke, Coleman, Hammond, Jackson, Moren, Payne, Peacock, Powell, Reavis, Rice of Montgomery, Toulmin, and Wood—15.

Those who voted in the negative are, Messrs. President, Brodnax, Ervin, Garrett, Harrison, Hill, Lewis, and McCall—7.

TUESDAY, December 1, 1863.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Mitchell, of this city.

CALL OF THE DISTRICTS.

Bills were introduced—

By Mr. McCall, for the relief of soldiers' families in Pike county;

Also, to authorize the court of probate of Pike county to grant an order of sale of the land of Eli Parks privately;

Which were read three times, forthwith, and passed.

By Mr. Ervin, for the relief of Jeremiah Fail;

Which was read twice, and referred to the committee on salt supply.

By Mr. Wood, to incorporate the Oakfoskee manufacturing company;

Which was read twice, and referred to the committee on corporations.

Mr. Groce presented the petition of J. H. Johnson, principal of the deaf and dumb school at Talladega;

Which was referred to the committee on education.

Also introduced a bill for the relief of guardians and to secure the estates of their wards;

Also, to repeal an act, approved January 25th, 1860, to regulate the trial of assaults, batteries, and affrays;

By Mr. Powell, to amend the laws in relation to depositions in the several courts of this State;

Which bills were severally read twice, and referred to the judiciary committee.

By Mr. Ligon, for the relief of Jesse Thompson, of Macon county;

Which was read twice, and referred to the committee on accounts and claims.

Mr. Garrett, from select committee, reported favorably to the bill to provide just compensation to certain State officers therein named, with an amendment by substitute for the first section;

Which amendment was adopted, the bill read a third time, and passed.

Mr. Ligon, from the judiciary committee, reported favorably to the bill to encourage and promote the manufacture of lubricating oils.

Mr. Toulmin moved to insert after the words "of Macon county," "and James T. Shelton, of Mobile county;"

Which amendment was adopted, the bill read a third time, and passed.

Mr. Harrison, from the committee on finance and taxation, reported a substitute for the bill to authorize the issuing of treasury notes to meet the appropriations for the support of the indigent families of soldiers, &c.;

Which substitute was adopted, the bill read a third time, and passed.

Mr. Lewis, from the committee on corporations, asked leave to be discharged from the consideration of the bill to incorporate the planters' insurance, trust, and banking company, and that the same be referred to the committee on banks and banking;

The committee was discharged, and the bill so referred.

Mr. Toulmin, from the military committee, reported favorably to the joint resolutions in relation to the performance of provost guard duty by persons not belonging to the army, with an amendment by additional resolution;

Which was adopted.

Mr. Toulmin moved further to amend, by additional resolution as resolution four;

Which was adopted, and the resolutions were read a third time, and passed.

Message from the House by Mr. Clitherall.

Mr. President :

The House of Representatives has originated and passed bills:

To increase the fees of witnesses in this State;

For the relief of James P. Boggan, tax collector of Butler county;

To repeal an act to compensate jurors and witnesses in Monroe county;

To confer jurisdiction upon the probate court of Butler county over the estate of Geo. M. Lewis, deceased;

To amend the act to incorporate the Girard railroad company;

To authorize the issue and sale of State bonds;

For the relief of Charles Irby Mitchell;

Joint resolutions in testimony of the wisdom and patriotism of Jno. Gill Shorter, Governor of the State of Alabama (adopted unanimously);

To grant further powers to the corporate authorities of Mobile;

To authorize Richard F. Starr to marry;

To amend the act to incorporate the city of Montgomery;

To regulate judicial proceedings.

The hour of 12 o'clock having arrived, the Senate was invited into the hall of the House for the purpose of inaugurating the Hon. Thomas H. Watts, Governor elect of the State of Alabama.

The Governor and Governor elect, with Rev. J. T. Tichenor, chaplain of the day, escorted by the committee of arrangements of the two Houses, and Gen. H. P. Watson, marshal of the day, took their places upon the Speaker's platform, when, after prayer by the chaplain, the Hon. T. H. Watts, Governor elect for the State of Alabama, delivered the following

INAUGURAL ADDRESS.

Gentlemen of the Senate and House of Representatives

Called by the voice of the people of Alabama, without solicitation from me, to preside over the destiny of the State, for the next two years, I cannot feel otherwise than grateful for this generous manifestation of confidence and esteem. In a time of profound peace, such an honor might well be deemed the fit reward of a lifetime of public service. But conferred when the duties of the office have been increased a hundred fold by the multiplied business created by the greatest war of modern times; when the clangor of war is heard all around us, and the sighs for our fallen brave fill every passing breeze, I scarcely know whether thanks are due for the grave responsibilities with which this election clothes me. I feel that I shall have need of the constant support and hearty sympathies of an indulgent people, and I pray God to give me such strength and wisdom as will enable me so to conduct our affairs, that no detriment shall accrue to the people of Alabama, and no stain shall mar the beauty of her honored name. Multiplied, grave and onerous as the duties of the office may now be, still I cannot deny, whilst entering on the discharge of its high functions, I feel some such pride and pleasure as a dutiful son must feel when obeying the will of a noble mother.

Gentlemen: On the 11th day of January, 1861, the sovereign people of Alabama, through their delegates in Convention assembled, declared by solemn ordinance, that the bonds which bound her to the Government of the United States were severed. In thus deliberately acting, the people of Alabama only exercised a right belonging to every free people. In the days of 1776, our forefathers declared that to secure life, liberty and the pursuit of happiness, "Governments are instituted among men, deriving their powers from the consent of the governed; and that whenever any form of government becomes destructive of these ends, it is the right of the people to alter or abolish it, and to institute new government, laying its foundations on such principles, and organizing its powers in such form as to them shall seem most likely to effect their safety and happiness." After a war of seven years, checkered with various defeats and victories, our Revolutionary sires achieved a crowning triumph, and wrung from the grasp of British tyranny, their liberties and independence. The reluctant consent of Great Britain was given to the great principles of freedom for which they contended. In the treaty of peace which closed this revolutionary struggle, the old thirteen States, naming them separately and distinctly, were

acknowledged by Great Britain to be "*free, sovereign and independent States.*" France was a party to this treaty ; having given of her blood and treasure to accomplish this grand result. The articles of Confederation formed and adopted during the progress of the war by the several States, then united in a common cause, declared that "each State retains its sovereignty, freedom and independence, and every power, jurisdiction and right, which is not by this Confederation expressly delegated to the United States in Congress assembled." These articles likewise declared that they were formed for a confederation and *perpetual* Union between the States agreeing to them.

After the pressure of the war was over, and when the recollection of common dangers and difficulties became less vivid, a new Constitution, that of 1787, was formed by the States then composing the Union, and after being thus formed was submitted separately to a Convention of delegates chosen by each State, for its free acceptance or rejection. This Constitution was to be binding only between those States ratifying the same. Each one of the States, at different times, some promptly, some with lingering reluctance, separately and independently of each other, withdrew from the articles of Confederation, and thus formed a new Government under the Constitution of the United States. The sovereign people of each State, through their own delegates in convention assembled, adopted this Constitution to govern them in their intercourse and relations with foreign nations, and in their relations and intercourse with each other. The same sovereign people in each State who adopted State Constitutions, and who throughout our political history as the United States, made, altered, or abolished their State Constitutions, ratified and adopted as their federal Constitution, the Constitution of 1787. In this Constitution the right of the sovereign people of each State, to alter or abolish their Government and to establish new governments for their safety and happiness, is not surrendered ; neither is it prohibited. This Constitution expressly provides that, "the enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people." "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people."

This Constitution provides for the admission of new States. Under its provisions, the Congress of the United States, on the 2d day of March, 1819, authorized the people of Alabama Territory "to form for themselves a Constitution and State

government, and when formed into a State, shall be admitted into the Union upon the same footing with the original States, in all respects whatsoever." In accordance with this act of Congress, the people of Alabama, through their delegates in Convention assembled, made their State Constitution and State Government, and ended their work on the 2d of August, 1819. On this day—the 2nd day of August, 1819—our forefathers in Alabama, through their delegates in Convention assembled, declared as a part of their fundamental and organic law that, "all political power is inherent in the people, and all free governments are founded on their authority and instituted for their benefit ; and therefore they have at all times an inalienable and indefeasible right to alter, reform, or abolish their form of Government in such manner as they may think expedient." With this declaration contained in the Constitution of Alabama, the Congress of the United States, on the 14th day of December, 1819, declared the State of Alabama to be one of the United States of America, admitting her by express terms into the Union "on an equal footing with the original States, in all respects whatsoever." Whatever right Virginia, or any other State of the original thirteen possessed, Alabama possessed. Virginia in the ordinance ratifying and adopting the Constitution of the United States, expressly reserved her right to withdraw the powers delegated, whenever in her judgment, the safety and happiness of her people demanded it. When the people of Alabama through their delegates in Convention assembled, on the 11th of January, 1861, declared their withdrawal from the United States, they were only exercising a right which the declaration of independence declared, belonged to every free people—a right not denied or prohibited in the Constitution of the United States ; a right exercised by every State when the Constitution of 1787 was formed and adopted—an inalienable and indefeasible right to alter, reform or abolish their form of Government, which Alabama's bill of rights declared might be done "at all times"—a right vital to freemen—dangerous only to tyrants.

The sovereign people of Alabama through their delegates in Convention assembled, in 1861, only repealed an ordinance, which the same sovereign people, through their delegates in Convention assembled, ordained in 1819. The simple ordinance of secession declared the Constitution of the United States no longer binding on the people of Alabama ; and that they were free to form and accept a new Constitution to govern them in their relations to other States, and with foreign powers. The State Government—the people of Alabama, remained the same ; their relations to other States alone were changed.

In accordance with the dictates of her judgment, Alabama and other States, now known as the Confederate States of America, formed a new Constitution and a new Government, based on the principles of the old one, amending the Constitution so as to leave no room for doubtful construction on disputed points.

Because of the exercise of this right—a right lying at the foundation of all free government, and the corner stone of every republican system of government, the Northern States, now calling themselves the United States, made war on the Confederate States. The authorities of these Northern States by their declarations and their conduct thus deny the right of free government—deny that all governments derive their powers from the consent of the governed—deny the doctrines of the Declaration of Independence, and the principles of the fathers of the republic and assert and attempt to exercise the doctrines of force. They deny to the people of Alabama the right of self government, and declare the monstrous pharisaic dogma, that they have the right to *coerce* us to be subservient to their will! they are our *superiors*, our masters! and we, their inferiors! their slaves!

Freemen of Alabama! If you had submitted to such monstrous pretensions, you would have been unworthy the heritage of freedom your patriot fathers left you! You would have been unworthy the sires from whence you sprung! you would have been unworthy the name of freemen! You would have been base cowards, slaves indeed! fit for Yankee masters!

When the Constitution of 1787 was adopted, the Northern States had little more of population than the Southern States. Even under the census of 1790, the political power of the North, as reflected in the House of Representatives of Congress, only exceeded that of the South by *five* majority. The North was cold in climate with comparatively rugged and barren soil. The South was blessed with a mild and generous and healthful climate, and with a soil of unsurpassed fertility. The South had more commerce, more wealth and all the prospects, as far as natural advantages indicated, of a far more rapidly increasing population. Yet, in the progress of our history, through means of various acts of congressional legislation (unnecessary here to mention), large portions of Southern territory were devoted to Northern aggrandizement, the population of the North was greatly augmented beyond the natural increase; the bulk of the commerce and capital of the country was concentrated there. The rich South was despoiled of her wealth and commerce and had become for

years little more than tributary to the swelling magnitude of Northern commerce and power. In proportion to the increased commerce, augmented population and concentrated capital, the political power of the North was increased. So that under the census of 1850—little more than half a century after the adoption of the Constitution of 1787—the political power of the North as reflected in the House of Representatives, had increased from five to fifty-five majority. With this increasing political power came constant turmoil and aggressions on the rights of the South. The most solemn constitutional guarantees were trifled with or wantonly disregarded by the States and people of the North.

Almost from the foundation of the government under the Constitution of 1787, the North and the South differed—widely differed—as to the character of the government and the construction of the Constitution. The North always contended for a latitudinous, the South for a strict construction of the Constitution. There was manifested in the North a constant and persistent tendency to regard the people of the United States as *one nation*. The South more truly maintained that in no sense could the United States be considered as *one nation*, except in the relations they bore to other governments and nations; that the true character of the government was that of a federal republic having for its basis a confederation of separate and sovereign States. The whole framework of the Constitution and the history of its adoption proved the Southern view to have been the correct one. Instead of being a government controlled by a mere numerical majority as contended by the statesmen of the North, it was intended by its framers to be controlled and governed by concurrent majorities of States, and the people of the States as represented in the House of Representatives. The States in their separate sovereign character adopted the Constitution. It was binding on none until accepted by the free consent and ratification of its people. No act could ever become a law by the simple majority of the people as represented in the House of Representatives. The Senators, the Representatives of the States—the larger and smaller being equal in power—must first concur. And yet still, the President, who, when elected by electors, was the double representative of the States, and the people of the States, and when elected by Congress, the Representative of the States, must give his sanction, before any measure could become a law, unless passed by a constitutional majority over his negative. So long as the South had equality with the North in the Senate, the South had some guaranty that her rights would be protected. But when the progress

of events destroyed this equality, the rights of the South, as recent events clearly prove, were no longer safe in the Union.

When the North obtained a majority of the States, and a majority of the people of the States, the greed of sectional dominion with insane furor seized the public mind, and not heeding even the warnings of her own patriotic sons, disregarding the protests of the minority South, the North undertook to select the President and Vice President from her own borders, and by purely a sectional majority to instal the wildest fanaticism in a chair once honored by Washington. So that in truth and in fact, whatever may have been the theory, the North having a majority of States, a majority of the people—majority in Senate and House of Representatives—and a President and Vice President selected from the North by a purely sectional vote, thus ignoring the South in the administration of federal affairs, the government became practically one, governed by the will of a *mere numerical majority*! In all ages such a government has been a despotism!

For years the South watched with intense interest the rapid progress of events; the increasing fanaticism of the North, threatening destruction to the landmarks of the Constitution of our fathers, and endangering the great interests and liberties of the South. In various ways and at repeated times, the Southern people evinced their apprehensions for their future peace and happiness. The two great parties in the slaveholding States each adopting resolutions as portions of their party creed denouncing the election, by the North, of a Black Republican President on a platform avowing the destructive dogmas of that party, and they declared their firm purpose, in the event of such election! to sever every tie which bound them to the Union. In Alabama this was done as early as 1856. In 1859 '60 the Legislature of Alabama, by a vote unanimous, save two dissenting voices, passed resolutions, authorizing and requiring the Governor of the State, in such event, to call a convention of the people of the State 'to consider, determine and do whatever in the opinion of said convention, the rights, interests, and honor of the State of Alabama require to be done for their protection.' The people of the South made all honorable efforts to avoid the necessity which such an event would produce. By conventions and legislatures solemn warning was given to the people of the North of the fixed determination of the South on this subject. But the North, disregarding the time honored principles of the fathers of the Republic, turning a deaf ear to the voice of Southern patriotism, forgetful of the ties which bind freemen to principles, ignoring the hallowed associations of our revolutionary

history, mad with fanaticism ; and filled with the boastful pride of numerical strength, rushed headlong in the wild career of sectional domination.

When the Convention of Alabama met on the 7th day of January, 1861, the members were united in heart. The *unanimous* declaration on the first day of the Convention, "that the people of Alabama *will not submit* to be parties to the inauguration and administration of Abraham Lincoln as President, and Hannibal Hamlin as Vice-President of the United States of America," demonstrated a fixed and united purpose. The co-operationists and separate secessionists were equally intent for *resistance*, equally honest, equally patriotic ; and they only differed intellectually, as to the best and safest mode of making that resistance effectual and permanent. And when the first tocsin of war was sounded, co-operationists and secessionists marched shoulder to shoulder, heart to heart, hand in hand to the arbitrament of battle. From the Gulf to our northern border ; from the mountains, valleys and plains ; from the east and from the west, the stalwart sons of Alabama rushed to the standard of the newborn Republic. And with dauntless bravery and heroism, they have crimsoned with their blood every battle field from Manassas to Chickamauga. An imperishable monument of glorious renown has been erected for the State ! The name "*Alabamian*" has become immortal in history !

In the commencement of the war, Lincoln and his followers declared their purpose as simply to repossess the forts and arsenals, the public property ; and to suppress the rebellion. It was supposed by the North that the large mass of the people in the South were willing to submit to Black Republican rule—and that it only needed an opportunity to rally around the flag which was once the proud ensign of a united people. These flattering anticipations were soon dissipated. Seventy-five thousand men were deemed by them quite sufficient to crush, in ninety days, the power of the Confederate States. The flying hosts of Lincoln at Bethel and Manassas showed the prowess of Southern arms, and the folly of Northern calculations. The banner, once loved and honored by Southern people, became the object of loathing and disgust, and the hated emblem of oppression and tyranny.

Then three hundred thousand additional men were called for by Lincoln ; and the South by the power of numbers was to be *coerced* into further affiliation with the North ! The Confederate States were to be *forced* back into a Union, whose first principle was *free consent*. It was vainly imagined by the

wise men of the North, that the eighteen millions of northern whites could and would very soon crush to powder the eight millions of southern white people ; especially as in their vain imaginings they supposed the four millions of blacks were here amongst us ready to burst the bonds which bound them to us. But these men, wise in their own conceit, forgot that "the battle is not always to the strong, nor the race to the swift." They forgot that there was a God of justice, the ruler of men and nations.

In numerical strength, and in all the appliances of war, the North certainly had greatly the advantage of us. The North had the regular army, the navy, the commercial marine, manufactories of arms and of all the munitions of war. The South had no regular army, no navy, no commercial marine, no manufactories of arms or powder ! Very soon all our ports were blockaded, and being thus cut off from the outside world, we were left to our own resources, our own strong arms and stout hearts. By the blessing of God, these have availed us thus far to maintain our cause. We have, as it were, improvised armies, arms and munitions, of which Napoleon, in his palmiest days might have been justly proud. Aye, more ! by the energy and wisdom displayed, by the brilliant achievements of our arms on a hundred fields, by the high regard we have paid to civilized usage, by the Christian magnanimity we have shown to our enemies, we, but yesterday unknown, to-day have drawn from reluctant lips, not only praise, but the admiration of all enlightened nations.

The series of brilliant triumphs, achieved over the North in 1862, caused the President of the North to announce a different policy. With all the efforts of the people of the North aided by every foreigner, who could be bought with money or seduced by promises of booty ; with the ports of every nation open to his commerce and his necessities, Lincoln was forced to admit, that the eighteen millions of northern whites could not coerce the South back into the Union. A new discovery in Black Republican philosophy was made. It was proved by numerous experiments in the great crucible of practice that the slave population, instead of being a grand volcano, threatening destruction and death to the cause of Southern independence, was a great element of Southern power.

Lincoln, without the authority of his Congress or Constitution, in the fall of 1862, proclaimed his intention to declare free, every slave of the South, unless by the 1st of January, 1863, we should lay down our arms, and with crossed hands repentantly submit to his dominion. The South scorned alike

his threats and his promises ! His threatened proclamation in due time made its appearance. It was as impotent as it was unconstitutional. It was mere *brutum fulmen* so far as it affects the institution of slavery. But it deserves to be considered by our people as showing the temper of the Northern mind. In the first place, it is a humiliating confession of Yankee weakness. It is a confession that the eighteen millions of Northern whites, strengthened by all the foreign aid they could get, were unable to coerce the Southern States back into the Union. In the next place it shows an utter disregard of Constitutional obligations, a palpable violation of that Constitution once revered by our fathers and by us. In the third place, it shows an utter disregard of the principles of international law settled for ages, by publicists, and recognized as binding by Kent, Wheaton, Gardner and Adams. It is in the fourth place, a deliberate attempt to excite our slaves to insurrection. It is an invitation, yea an urgent solicitation, to an ignorant race, recognized as our property by the Constitution Lincoln has sworn to support, to commit murder, rapine, rape, arson, and all manner of diabolical deeds. An invitation to have our homes and our firesides deluged with the blood of our wives and our children. It is the expression of fiendish wish to see a whole country deluged in innocent blood, and to hear the mingled lamentations of a whole people, and to see the "blackness of darkness" like a funeral pall, overspread forever, the glories of our sunny land !

This proclamation was the first authoritative announcement, that this war was no longer waged for a restoration of the Union. Reconstruction of the Union is no longer desirable, no longer practical, even with Lincoln ! It has been recently announced by Lincoln's Solicitor of the Treasury—it is proclaimed by his Generals in the field, approved and applauded by a sycophant press and people, that the purpose of the North now is, to *subjugate* the freemen of the South, to confiscate all their property and deprive them of all that freemen hold dear ! State lines and all State rights are to be abolished. The right to have Legislatures, Governors, Judges of our own choosing, juries from amongst us, the right to vote, even every civil and political right is to be denied to the *subjugated* South ! Some Butler or some black *satrap* of Lincoln's creation, would in such an event, be the Governor of Alabama, with a standing army of blacks to ravage our country, outrage our women, and hold freemen in bondage !

As if God had given such a people over to the reprobation of the Devil, during the progress of this war, the people of the North seem to have lost every principle of morals, law

and religion which adorn a civilized people! In attempting to deprive us of our liberties, they have lost their own! Every principle of constitutional liberty amongst them has been destroyed. The writ of *habeas corpus*, the great writ of liberty wrung from tyrant hands ages ago by our British ancestors, has been suspended by the simple will of Lincoln. The freedom of the press—of speech, the right of petition, trial by jury, have all been trampled under foot. The monstrous dogma has been proclaimed in high places that in time of war, the Constitution, its guarantees and prohibitions, are all suspended, and that all power to do or not to do, is concentrated by political necessity in the unrestrained hands of a single man! On their part, in the conduct of the war, every principle of civilized usage has been set at naught; obligations and stipulations, always heretofore held sacred even by savage nations, have been violated, when convenience and present policy interfered with their fulfillment. In such portions of our country as the fortunes of war have enabled them to possess, private property heretofore respected by the usage of all modern nations has either been dishonestly appropriated or wantonly destroyed. Works of art and ornament, the proudest achievements of genius; the keep-sakes and mementoes of departed friends, have been filched from the places they graced, and carried North to beautify some Yankee general's parlor, made luxuriant by the spoils from Southern households. The graves of our honored dead, the houses where Christians worship God, have been basely desecrated (despoiled of the emblems which love had consecrated to honor), polluted, and destroyed by these Northern Goths and Vandals! It almost seems that such a people have always been strangers to us! Is it possible that we could ever again dwell in political Union with such a people? It is almost an insult to ask a Southern man such a question.

By the graves of our fallen sons, around our desolated altars, in view of our devastated fields and blazing homes and cities; in view of our banners red all over with Southern blood, let us renew our faith to the Southern cause, and let us swear before high Heaven, whatever else may be our fate, we will never have political connection with such a God cursed race!

Whatever may have been the differences of opinion amongst our people as to the propriety of dissolving the Union in 1861, there cannot now be any difference as to our duties to our State and Country. Our property, our homes, our wives and our children, our lives, our liberties and our honor—everything we hold dear on earth—are dependent upon the triumph of Southern arms. Should we be conquered, every thing worth

living for will be gone. Our political salvation now depends on our own resources, our own energies, bravery and fortitude. With the continued favor of Providence, and with hearty co-operation amongst ourselves, we shall be equal to the task before us. Every motive which can urge a freeman to noble deeds and lofty daring prompts to action now. Death will be a heavenly boon compared to the miseries of Yankee rule. If the proud Roman could sing, in the name of Roman power, *dulce est pro patria mori*—'tis sweet for one's country to die—can we not prove by our actions 'tis glorious to die for our native land?

If our people will only be true to themselves, true to their homes and their firesides, and true to their God, our liberties are safe and our triumph is sure. In the beginning of the war, we had only undisciplined citizen soldiers, few guns, no heavy artillery, little powder and other munitions or appliances for warlike defense. After near three years of war, we have larger armies to day than we have ever had; we have more arms, munitions and equipments of war than we have ever had. We have manufactories of arms and powder sufficient to arm our whole people. We have a growing navy. Already the few cruisers we have put afloat have driven the bulk of Yankee commerce from the ocean, or compelled their vessels to seek shelter under the flags of foreign nations. We have fought more battles than Alexander, Caesar or Napoleon ever fought. In nearly all we have been the victors. In not one, where there has been anything like equality in numbers have we ever failed to triumph over the foe. In all the great battles we have been greatly inferior in numbers to our enemy. To day we are more nearly equal to our enemy in numbers, than we have ever been. If all our men now enrolled, were at their posts of duty, our armies in the field would quite equal those of the enemy. It is true we have met with some serious reverses. But in the Providence of God our reverses have availed the enemy little advantage. Our reverses and sufferings have never half equaled those of our fathers of 1776, and yet they, three millions in number, triumphed over all the power of Great Britain.

The "Old Dominion," whose soil has been truly "the dark and bloody ground" of this war, stands yet erect, and proudly boasts *sic semper tyrannis*. McDowell, McClelland, Pope, Burnside, Hooker, Meade, each with an army the "best the world ever saw," with boastful pride and banners gleaming, has essayed to find a road to Richmond. Each has been signally foiled in all attempts on the capital of Virginia and of the Confederacy, by the Beauregards, Johnstons, Lees, Jacksons

and Longstreets of the South. While Virginia stands as an adamant wall, against the onward march of Lincoln's columns, never let the voice of despondency be uttered from our lips, or find a lodgment in our hearts.

Charleston, after one hundred and forty days' bombardment, from navy and land batteries combined, controlled and directed by all the science of Yankee ingenuity, still stands with her colors proudly and defiantly floating. The names of Sumter and Moultrie have had the glories of 1863, added to the renowned memories of Revolutionary times.

Whilst Alabama mourns thousands of her noblest men, her Jones's, Martin, Lomax, Moore, Hale, Baine, Woodward, Pegues, Pelham, Tracey, Garrett, Webb, Deshler, and other fallen braves, have erected along the mountain cliffs of fame, the beacon lights, by which in all time, her sons of freedom, may discern the path to honor and renown.

Had I the time, and you the patience, it would delight me to refer to many incidents of battle, in which Alabama's sons have gained a "deathless name." Nor yet would I stop with recounting the deeds of Alabama's sons! Her daughters are the diamonds which sparkle in her coronet of glory! Woman's voice whispered courage, when the first blow for freedom was struck! Woman's hands made the clothes the soldier wears! Woman made the banners under which the soldiers rush to the charge! Woman's smiles encourage the timid, her frowns send back the skulker to duty! and her fortitude gives new strength and assurance to the despondent.

Go to the fireside, and there is heard the mother's prayer for husband, son, and country! Go to houses made desolate by the horrors of war, and there is heard the sympathetic sigh of woman! Go to the Hospitals, where our sons and brothers with mangled limbs and bleeding hearts in confusion lie, and there woman binds up the broken limbs and soothes the bleeding hearts. Go to the couch of the dying soldier boy far from home and friends and there woman's hands wipe the death damp from his noble brow; and her tears soften the sod over his humble grave. Woman has been and is the inspiring angel, whose influence nerves the arm and swells the heart of the soldier in the camp, on the march, on the battle field in the death struggle for liberty. Woman has recorded her name on the brightest page in our annals of Freedom!

But, gentlemen, we have grave duties yet to perform before our Independence is safe. Large numbers of our soldiers have gone from home, carrying their lives in their hands, to fight our battles, and have left their wives and little ones, without

the means of comfort—yea, many without the means of subsistence. There are many women and children made widows and orphans by this war, equally comfortless, equally unprovided for. Now what is our duty to these? It is obviously to feed, to clothe, to comfort, to protect, to care for those, the loved ones of our brave soldiers, thus become the children of the Republic. Whilst all the people of Alabama have their lives and their liberties staked on the result of this war, and large numbers have property to be saved and protected, many of our soldiers now in the field have nothing but their lives, their wives and children, and their liberties. Those of our people who have property to be saved and protected, are under a double obligation to feed, clothe and protect the wives and children of the brave men who form with their bodies breastworks against Yankee invasion and outrage. The people of South and Middle Alabama, the seat of wealth and plenty, cannot discharge their whole duty unless they, out of their abundance, provide for the families left destitute in other portions of the State. Let the soldier know whilst he is gone that his loved ones at home are cared for, and this very knowledge gives renewed strength to his arm, fills his heart anew with the fires of patriotism. I trust that liberal and just hearts need on this subject but a suggestion. But gentlemen legislators, you will not discharge your duty unless you provide for the wants of these wives and children. Tax heavily if need be—tax liberally the property of the citizens of the State, so that their wants may surely be supplied, and thus show to the brave defenders of our soil, that their services are appreciated by grateful hearts at home. Let us in private and in public stations come up to the full measure of our duty. We have fallen short of our duty, I fear. I know we have been too much absorbed with a greedy lust for money making. The glittering treasures, which filthy lucre hoards, have been gathered, too often, from the tears and sighs of widows and orphans, wives and children of soldiers, who, amidst the thunders of battle, have poured out their life blood. God will never prosper riches so acquired, nor favor any people so forgetful of the duties of humanity and true patriotism.

Our Confederate currency must be upheld. Every dollar's worth of property in the Confederate States is pledged for its redemption. It can only become worthless by our subjugation: by our failure to achieve our independence. If we are ever conquered, we shall conquer ourselves by failure to discharge our duty. If we fail, then nothing we can call our own will be worth a dollar to us. It is the currency which our soldiers receive for their services. If it is good enough for them, it is

surely good enough for any property we have. Let it be sustained at all hazards. The credit of the Confederate States is the lifeblood of Southern liberty.

The Legislature of Alabama and of the several States ought to aid in sustaining the credit of Confederate promises. Our Senators and Representatives in Congress ought to feel and know that a people who have shown no unwillingness to give up their children as sacrifices on the altars of Southern freedom are ready to devote their property to the establishment of their independence.

We should cultivate a better spirit of harmony amongst ourselves. We are all engaged in a common cause. Whatever is the interest of any good man, is the interest of the whole State. One fate awaits us all. We must resolve to die in one common grave, or live in the enjoyment of a common liberty. The fires of past party must be extinguished. The baptism of blood through which our people have passed, in defence of a common cause and country, ought to have washed out all the defilements of prejudice, renewed in us right spirits and fitted us for a nobler career of future prosperity and happiness. Let us learn to regard every man who sustains our cause with his blood or treasure, as a friend and a brother, whatever may have been his former opinions. And let us henceforth, and until this contest ends in our complete independence, have but *one party*—and let that be, heart and soul for the Southern cause!

Let us give to our noble President and those associated with him in power, a generous confidence and support. That he has committed errors is simply to say he is a man! No man, in his trying position, could have shown more energy, more ability, more patriotic fervor, more regard for the rights of the people and of the States.

But whilst I advise a generous confidence in our public authorities, I would not have the people forget that “Vigilance is the price and preserver of liberty.” In times of war the tendency of authority, civil and military, is to assume unwarranted power, under the plausible plea of public necessity. Let us never forget that our Constitution was made for war and peace, and that we have for its construction but one set of rules which *shall* govern in war as well as in peace. And let the cardinal rule be, *strict construction*. Let us not overlook the fact that the military power, by the Constitution, is to be always subordinate to the civil authority; and let us take care that our rights and liberties at home shall not be sacrificed, whilst resisting the oppression and tyranny of the North.

Whilst Alabama has not shown any disposition to shrink

from the performance of her full duty to the Confederate States, still she has not promptly responded to the last call made on her by the President. I know the reason why this delay has occurred. Let there be no cause for further delay. Our State has been invaded, and every day the enemy's footsteps pollute our soil, adds insult to injury, and ought to arouse higher and higher the just indignation and the energies of our people. Let us arouse our people in every county of the State, and let it not be said that Alabamians can sleep quietly at home, whilst any of our citizens have been brutally murdered, driven from their firesides, their property pillaged, or ruthlessly, maliciously and wantonly destroyed.

If we will promptly organize under the act of Congress for local defense, or under the militia laws of the State, thousands of troops now engaged in catching skulkers and deserters, can be sent to the armies to which they belong, and the people who have been harassed and their substance eaten by men paying little regard to persons or property, will be free from annoyance. The skulkers and deserters can and will be sent to their duty, by good men organized at home. The excesses and outrages committed by irresponsible bodies of men in some portions of our State, is a sore and crying evil and they must be stopped.

The manner in which the impressment law of Congress has been executed in many portions of our State needs your serious attention. Gross wrong and, I had almost said, wanton injuries have been perpetrated by officers who have no common sense, and no regard for the properties of life or the rights of property. If our laws do not furnish ample remedy for such outrages, provide the remedy.

In discharging the duties of the office I am about to assume, I shall endeavor to see that the rights of our citizens are protected from violence at home as well as against the raids and ravages of our enemy. I shall expect, as I have a right to demand, the hearty co-operation of all in the support of every measure calculated to promote the prosperity and happiness of the people of Alabama, and the cause of Southern independence.

Let us never forget that the Almighty rules over the affairs of men, and that people and Governments are His handiwork! That His favor may be continued towards us as it has been in the past, let us constantly implore His mercy by submitting ourselves in all things to His will. Let us humble ourselves in His sight, and show by our acts that we deserve His protecting care!

REMARKS OF GOV. JNO. GILL SHORTER ON DELIVERING UP THE STATE
SEAL TO HIS SUCCESSOR.

Governor Watts:

By the Constitution of the State of Alabama, the Governor is made custodian of the great seal of the State. Upon my inductoin into Executive office, two years ago, I received this seal from my respected predecessor. By the blessing of God, I have been enabled to preserve it inviolate to the present hour; and now, with more than a cheerful obedience to the expressed will of the people, I have the honor to deliver it into your hands. I do so with an abiding confidence that it is committed to the custody of one who is worthy to receive it, and who will devote all the power and resources at his command; if need be, to preserve it untarnished and thus deliver it to his successor. It may not be inappropriate—as it is the prompting of my feelings on this occasion as well as my clear conviction of duty—to declare to you, in the presence of the General Assembly, that in my retirement from the arduous labors and severe responsibilites of the Executive office to the more calm and pleasing pursuits of private life, I shall not forget my obligations to the State and people of Alabama, nor to you our honored Chief Magistrate. I heartily approve and endorse the admirable inaugural address which you have just delivered; and I pledge you my cordial and earnest support in every effort you may make to promote the welfare of Alabama and to advance our glorious Confederate cause, upon the success of which depends everything we esteem dear on earth. And I pray God that He may “give you grace and strength for every hour of need.”

RESPONSE OF GOVERNOR WATTS.

Governor Shorter:

I return you my profound thanks for the kind expresions you have been pleased to use towards me, personally, and for the approval of the sentiments I have just uttered, and, also, for the generous support you have tendered to my administration. I can only hope in the administration of the affairs of State, to approximate the expectation of partial friends. The times are pregnant with historic events; and responsibilities of the office of Governor, at this time, are such as to make the loftiest intellect and the purest heart seek for aid and cordial sympathy.

The honest purpose you have shown to advance the interests of Alabama, the arduous labors you have performed, your untiring devotion to the public welfare, will hereafter be properly appreciated by the people, and their thanks cheerfully

rendered to you. In your retirement from public life, in the quiet precincts of home, I trust you may enjoy the happiness you deserve. I am sure you will not there forget the duties you owe to our noble State, and the great cause in which we are all engaged. My best wishes shall accompany you.

The seal of State which you so well preserved, I accept, and shall guard it with all the energies I possess. It is the emblem of the power of Alabama. Alabama is my mother; whilst I have an arm to raise in her defense and a voice to speak in her behalf, her power and glory shall be maintained, and her great seal, if the people will sustain me with the same hearty co-operation manifested in placing me here, under the blessing of God, shall be preserved, untarnished, for my successor.

The oath of office was administered to the Governor by the Speaker of the House of Representatives, when, after benediction by the chaplain, the Senate returned to its chamber.

On motion of Mr. Jackson,

Resolved, That 2000 copies of the inaugural address of Gov. Watts be printed for the use of the Senate, and that the Secretary of State forward to each member of the Senate his *pro rata* share of such address for distribution.

Senate then adjourned till 10 o'clock, to-morrow morning.

WEDNESDAY, DECEMBER 2, 1863.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. ———.

Mr. Ligon introduced a bill for the relief of indigent families of soldiers in Macon county;

Which was read three times, and passed.

Message from the House by Mr. Clitherall.

Mr. President :

The House of Representatives concurs in the amendment of Senate to House bill to increase the price of certain public lands.

The House has amended the Senate amendment to House bill to require railroad companies to keep lights on their trains, and concurred in the amendment as amended.

The House has passed the Senate bills:

To authorize the use of funds appropriated for military and hospital purposes, to meet appropriations for the indigent families of soldiers;

To amend an act entitled an act to re-organize the militia of the State of Alabama, approved August 29, 1863:

For the relief of soldiers' families in Pike county;

For the relief of justices of the peace in the county of Montgomery;

To consolidate the offices of county treasurer and clerk of the circuit court of Baldwin county;

Joint resolutions appointing 10th day of December as a day of fasting, humiliation and prayer;

Joint resolutions in respect to the enforcement of the conscript law of the Confederate States;

Bill for the relief of S. B. Harmon, tax collector of Macon county;

Bill in relation to the Alabama State tract books.

The House concurs in the resolution of the Senate proposing to elect a judge of the supreme court, to fill the vacancy occasioned by the resignation of Hon. R. W. Walker, on this day at 12. m.

The House has originated and passed a bill to repeal a local law therein named in Jefferson county.

The House has passed the following bills from the Senate:

For the purchase of stationery and fuel;

For the establishment of an additional ferry on the Alabama river, near Montgomery;

An act to amend an act therein named;

To authorize formation of volunteer companies in 1st, 2d, and 3d congressional districts;

For relief of Berry Driver;

For relief of western railroad company;

To provide for the location, partition, and allotment of lands held in common by two or more railroad companies;

To authorize the Governor to rescind certain contracts therein named;

To provide water for the State penitentiary;

For benefit of the widow and children of James Morgan, deceased;

For relief of indigent families of soldiers in the army of the Confederate States;

To provide indigent families with salt and cotton yarns.

The House concurs in amendment of Senate to amend the act in relation to the support of indigent families of soldiers, approved 29th August, 1863;

To authorize overseers of roads to serve process in certain cases;

To amend an act to repeal an act imposing restrictions on the city council of Montgomery.

Mr. Groce, from the committee on education, to whom was referred the memorial of J. H. Johnson, reported a bill to

amend an act to establish an institution for the deaf and dumb, approved January 27, 1860;

Which was read three times, and passed.

Mr. Reavis, from select committee to whom was referred the memorials of Dickson, Nelson & co., and Lewis G. Sturdivant, reported a bill for the relief of Dickson, Nelson & co., and Lewis G. Sturdivant;

Which was read three times, and passed.

Mr. Toulmin, from the military committee, to whom was referred the annual report of the military auditor, reported a bill to regulate the settlement of accounts in the military department of the State;

Which was read three times, and passed.

Mr. Ligon, from the judiciary committee, reported favorably to the bill to establish a criminal court for the county of Montgomery with civil jurisdiction.

Mr. Cato, from the same committee, reported favorably to the bill to compensate sheriffs, and other officers, in certain cases.

Mr. Clarke, from the committee on finance and taxation, reported favorably to the House bills:

For the relief of R. Z. Barlow;

To pay for the hire of servants for the General Assembly.

Mr. Rice, of Montgomery, from the judiciary committee, reported favorably to the House bill to enable married women more effectually to recover property secured to them by the code.

Also, favorably to the bill for the relief of guardians, and to secure the estates of their wards.

Mr. Barnes, from the same committee, reported favorably to the House bill for the relief of the estate of Ovid Mazange.

All of which were severally read a third time, and passed.

Mr. Reavis, from the same committee, reported a substitute for the House bill in regard to advertising absconding slaves;

Which was adopted, the bill read a third time, and passed.

Mr. Powell, from the same committee, reported adversely to the House bill to change the name of Louisa Cecelia Talbot.

Mr. Reavis, adversely to the bills:

For the relief of Osburne R. Franklin;

To repeal an act to regulate the trials of assaults, batteries, and affrays.

Mr. Cato, adversely to the House bill to repeal an act to prevent extortion, and other acts therein named.

Mr. Rice, of Montgomery, adversely to the House bill to regulate solicitors' fees.

Mr. Harrison, from the committee on banks and banking, reported adversely to the bill to incorporate the planters' insurance, trust, and banking company.

All of which adverse reports were concurred in.

House bills—

To increase the fees of probate judges and other public officers of this State;

To repeal an act to compensate jurors and witnesses in Monroe county, approved January 5, 1848;

To amend an act to incorporate the Girard railroad company, approved January 21, 1846;

Were severally read three times, and passed.

Senate proceeded to consider the House bill, under consideration at adjournment on 30th November, it being the bill to contribute to the support of the indigent families of soldiers, &c.

The bill was on its second reading.

Mr. Barnes moved to strike out the proviso in first section:

Which was lost—yeas 12, nays 12.

Those who voted in the affirmative are, Messrs. Barnes, Clarke, Coleman, Garrett, Groce, Hill, Jackson, Lewis, Moren, Reavis, Rice of Montgomery, and Toulmin—12.

Those who voted in the negative are, Messrs. President, Beeson, Brodnax, Cato, Ervin, Hammond, Harrison, Ligon, McCall, Peacock, Powell, and Wood—12.

On motion of **Mr. Brodnax**, said vote was reconsidered.

Mr. Ligon moved to amend the proviso, by inserting after the word "substitutes" the words, "who are without means and objects of charity;"

Which was adopted—yeas 13, nays 10.

Those who voted in the affirmative are, Messrs. President, Beeson, Brodnax, Cato, Ervin, Hammond, Harrison, Ligon, McCall, Peacock, Powell, Toulmin, and Wood—13.

Those who voted in the negative are, Messrs. Barnes, Clarke, Coleman, Groce, Hill, Jackson, Lewis, Moren, Reavis, and Rice of Montgomery—10.

The question then recurred on **Mr. Reavis'** motion to strike out the proviso;

Which was carried—yeas 12, nays 11.

Those who voted in the affirmative are, Messrs. Barnes, Clarke, Coleman, Garrett, Groce, Hill, Jackson, Lewis, Moren, Reavis, Rice of Montgomery, and Toulmin—12.

Those who voted in the negative are, Messrs. President, Beeson, Brodnax, Cato, Ervin, Harrison, Ligon, McCall, Peacock, Powell, and Wood—11.

The bill was then read a third time, and passed.

The special order was taken up, it being the bill to provide food and raiment for the families of soldiers, &c.

Mr. Cato moved to amend by striking out sections one, two, and three; also, to strike out the word "and" in the 5th line, and insert in lieu thereof the following: "to impress corn, corn-meal, flour, wheat, rye, pork, bacon, beef, mutton, beef cattle, sheep, jeans, cloth, linsey, woolen and cotton goods, spun thread, leather, shoes, boots, hats, and other articles necessary for food or raiment;" 2d, amend by striking from the 14th line the words "the price fixed upon it by said court," and insert the words "the fair market value of the article impressed in the neighborhood where the impressment is made."

Mr. Reavis moved to lay the amendment on the table:

Which was lost--yeas 11, nays 12.

Those who voted in the affirmative are, Messrs. President, Brodnax, Clarke, Hammond, Hill, Jackson, McCall, Peacock, Reavis, Rice of Montgomery, and Toulmin--11.

Those who voted in the negative are, Messrs. Barnes, Beeson, Cato, Coleman, Ervin, Garrett, Groce, Harrison, Ligon, Moren, Powell, and Wood--12.

Senate adjourned till 3, p. m.

AFTERNOON SESSION.

Senate met pursuant to adjournment,

And proceeded to consider the bill under consideration at adjournment.

On motion of Mr. Barnes, the further consideration of the bill was postponed till 11 o'clock, to-morrow, and made special order.

House bills--

To amend an act to incorporate the city of Montgomery;

To grant further powers to the corporate authorities of the city of Mobile;

To increase the fees of witnesses in this State;

To confer jurisdiction upon the probate court of Butler county over the estate of Geo. M. Lewis, deceased;

For the relief of James P. Boggan, jr., tax collector:

Were severally read three times, and passed.

House joint resolutions in testimony of the wisdom and patriotism of John Gill Shorter, Governor of the State of Alabama;

Were adopted, and ordered that the city papers publish the same.

House bill to regulate judicial proceedings;

Was read twice, and referred to the judiciary committee.

House bill for the relief of Charles Irby Mitchell;

Was read twice, and referred to a committee of three, to-wit: Messrs. Toulmin, Clarke, and Jackson.

House bill to authorize the issue and sale of State bonds;

Was read twice, and referred to the committee on finance and taxation.

House bill to authorize R. F. Starr to marry;

Was read twice.

Mr. Reavis moved to strike out the proviso:

Which was carried.

Mr. Rice, of Montgomery, moved an additional section as section two;

Which was adopted, the bill read a third time, and passed.

Mr. Garrett offered the following resolution:

Resolved, The House concurring, that the two, the President of the Senate and the Speaker of the House of Representatives, adjourn their respective Houses *sine die*, on Saturday, the 5th day of December, instant.

On motion of Mr. Rice, of Montgomery, the same was laid on the table.

By leave, Mr. Rice, of Montgomery, introduced a bill to regulate the fees of solicitors in certain cases;

Which was read three times, and passed.

By leave, Mr. Barnes introduced a bill for the relief of tax collectors of this State;

Which was read three times, and passed.

Senate then proceeded to consider the special orders:

The bill to make owners of slaves liable for property stolen;

Was, on motion of Mr. Garrett, indefinitely postponed.

The bill to consolidate certain land districts therein named:

Was read a third time, and passed.

The bill to amend an act to regulate interest upon debts in payment of which Confederate treasury notes may be tendered and refused, approved November 17, 1862;

Was read a third time, and passed—yeas 12, nays 10.

Those who voted in the affirmative are, Messrs. President, Brodnax, Clarke, Coleman, Ervin, Hammond, Harrison, Hill, Jackson, McCall, Reavis, and Rice of Montgomery—12.

Those who voted in the negative are, Messrs. Barnes, Beeson, Cato, Groce, Ligon, Moren, Peacock, Powell, Toulmin, and Wood—10.

Senate adjourned till 10 o'clock to-morrow morning.

THURSDAY, DECEMBER 3, 1863.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Reid, of the House.

Mr. Reavis introduced a bill to amend an act to render more efficient the system of public schools in this State;

Which was read twice, and referred to the committee on education.

Mr. Groce introduced a bill to change the times of holding the circuit courts in the 5th and 10th judicial circuits;

Which was read twice, and referred to a committee composed of the Senators from those circuits.

Mr. Garrett introduced a bill to repeal an act to direct the binding of certain copies of the acts of the General Assembly;

Which was read twice, and referred to the committee on State printing.

Message from the House by Mr. Clitherall.

Mr. President.

The House concurs in the amendment of the Senate to the House bill to increase the price of certain public lands.

The House has amended the Senate amendment to the House bill to require railroad companies to keep lights on their trains, and concurs in the amendment as amended.

The House has passed the Senate bills:

To authorize the use of funds appropriated for military and hospital purposes, to meet appropriations for the indigent families of soldiers;

To amend an act entitled an act to re-organize the militia of the State of Alabama, approved August 29, 1863;

For the relief of soldiers' families in Pike county;

For the relief of justices of the peace in the county of Montgomery;

To consolidate the offices of county treasurer and clerk of the circuit court in Baldwin county;

Joint resolutions appointing 10th day of December as a day of fasting, humiliation, and prayer;

Joint resolutions in respect to the enforcement of the conscript law of the Confederate States;

Bill for the relief of S. B. Harmon, tax collector of Macon county;

In relation to the Alabama State tract books.

The House concurs in the resolution of the Senate to elect a supreme court judge on this day, at 12, m.

The House has originated and passed a bill to repeal a local law therein named in Jefferson county.

Mr. Coleman, from the committee on enrolled bills, reported as correctly enrolled, the following bills:

For the relief of Berry Driver of Chambers county;

For the establishment of an additional ferry on the Alabama river near the city of Montgomery;

Joint resolutions for the purchase of stationery and fuel;

To amend an act therein named;

To provide indigent families of soldiers with salt and cotton yarns;

To authorize the use of funds appropriated for military and hospital purposes to meet appropriations for the families of soldiers;

Joint resolutions appointing the 10th day of December as a day of fasting, humiliation, and prayer;

For the relief of indigent families of soldiers;

To authorize the Governor to rescind a certain contract therein named;

To provide water for the State penitentiary;

For the relief of the western railroad company;

For the benefit of the widow and children of James Morgan, deceased.

On motion of Mr. Hill, the vote passing the House bill to amend an act to incorporate the city of Montgomery was reconsidered, and also the vote ordering it to a third reading.

The consideration of the bill was postponed till 11 o'clock to-morrow, and made special order.

Mr. Hill, from the committee on corporations, reported favorably to the bill to incorporate the Oakfoskee manufacturing company;

Which was read a third time, and passed.

Also, from the committee on salt supply, reported favorably to the bill for the relief of Jeremiah Fail;

Which was read a third time, and passed—yeas 19, nays 6.

Those who voted in the affirmative are, Messrs. President, Barnes, Beeson, Brodnax, Cato, Coleman, Ervin, Groce, Hammond, Hill, Jackson, Lewis, Ligon, Moren, Payne, Peacock, Powell, Reavis, and Wood—19.

Those who voted in the negative are, Messrs. Clarke, Garrett, Harrison, McCall, Rice of Montgomery, and Toulmin—6.

Message from the Governor by Mr. Taylor:

Mr. President:

The Governor has approved the following acts which originated in the Senate, entitled:

An act to provide indigent families with salt and cotton cards;

An act to amend an act therein named;

An act for the establishment of an additional ferry on the Alabama river, near the city of Montgomery;

An act for the relief of Berry Driver of the county of Chambers;

An act to authorize the use of funds appropriated for military and hospital purposes to meet appropriations for the indigent families of soldiers;

Also, joint resolutions for the purchase of stationery and fuel.

Mr. Barnes, from the judiciary committee, reported favorably to the House bill to increase the fees of probate judges and other public officers of this State, with an amendment, by additional section as section three;

Which amendment was adopted.

Mr. Beeson moved to amend by inserting "tax collectors and tax assessors;"

Which, on motion of Mr. Barnes, was laid on the table

Mr. Beeson moved to strike out "probate judges;"

Which, on motion of Mr. Barnes, was laid on the table.

Mr. Garrett moved to postpone till Monday, at 11 o'clock:

Which was lost.

The bill was read a third time, and passed—yeas 15, nays 10.

Those who voted in the affirmative are, Messrs. President, Barnes, Brodnax, Clarke, Groce, Harrison, Jackson, Lewis, Ligon, Moren, Powell, Reavis, Rice of Montgomery, Toulmin, and Wood—15.

Those who voted in the negative are, Messrs. Beeson, Cato, Coleman, Ervin, Garrett, Hammond, Hill, McCall, Payne, and Peacock—10.

Mr. Ervin, from the committee on State penitentiary, reported a bill to amend an act to provide for the re-organization of the State penitentiary;

Which was read three times, and passed.

Mr. Moren, from select committee, reported a substitute for the bill for the relief of sick and wounded soldiers;

Which was adopted, the bill read a third time, and passed.

Mr. Hammond, from the committee on accounts and claims, reported adversely to the House bill for the relief of Lieut. J. T. Holtzelaw;

Which was concurred in, and the vote of concurrence subsequently reconsidered.

The bill was ordered to a third reading.

Mr. Toulmin, from select committee, reported favorably to the House bill for the relief of Charles Irby Mitchell;

Which was read a third time, and passed.

Mr. Hammond, from the committee on accounts and claims, reported adversely to the bill for the relief of Jesse Thompson of Macon county;

Which was concurred in.

Mr. Reavis, from the committee on public lands, reported a bill to bring certain lands into market;

Which was read three times, and passed.

Senate proceeded to consider the special order, it being the bill to provide food and raiment for the families of soldiers, and to regulate the prices, &c.

Mr. Powell moved to lay the bill on the table;

Which was lost --yeas 9, nays 13.

Those who voted in the affirmative are, Messrs. Barnes, Beeson, Ervin, Groce, Harrison, Lewis, Ligon, Moren, and Powell --9.

Those who voted in the negative are, Messrs. President, Brodnax, Cato, Clarke, Hammond, Hill, Jackson, McCall, Payne, Peacock, Reavis, Rice of Montgomery, and Toulmin --13.

The question recurred on the amendment of Mr. Cato.

Pending the consideration of which,

At the hour of 12 o'clock, m., the Senate, by invitation, repaired to the hall of the House, when the two Houses in joint convention proceeded to elect a supreme court judge, in accordance with the resolution of the two Houses.

The names of Messrs. John D. Phelan of Montgomery, R. C. Brickell of Madison, W. M. Byrd of Dallas, and C. W. Raper of Mobile, being in nomination:

Those who voted for Mr. Phelan are, Messrs. Cato, Coleman, Garrett, Harrison, Hill, McCall, Payne, Peacock, and Powell, of the Senate; Messrs. Atkinson, Benners, Bethea, Bishop, Brooks, Bryan, Chambers, Chapman, Charlton, Cobb, Coleman, Cox, Cumming, M. L. Davis, Ellis, Franklin, Gafford, Gardner, Gibson, Graves, Greene, Holley, Hollis, Howard, Jones, Leeper, Lewis, Ligon, Manasco, May, Mitchell, Modawell, J. G. Moore, Morrow, McAlexander, McClelland, Ogbourne, Orr, Parish, C. A. Parker, Price, Reid, Ryan, Seay, Sims, Sykes, Towles, and Williams, of the House--57.

Those who voted for Mr. Byrd are, Messrs. President, Barnes, Clarke, Ervin, Jackson, Ligon, Lewis, Moren, and Reavis, of the Senate; Messrs. Speaker, Armstrong, G. W. Ashe, Ashurst, Barron, Bell, Dawson, Dent, Fannin, Greathouse, Head, John Keenan, Lawler, John Moore, McCain, McInnis, McLemore, Nisbet, E. S. C. Parker, Parsons, Vanzandt, Vincent, West, and White, of the House--33.

Those who voted for Mr. Brickell are, Messrs. Beeson, Groce, Hammond, S. F. Rice, and Wood, of the Senate; Messrs. Bradley, Brown, Chisholm, Clarke, Donnell, Hames, Robeson, Scrnggs, and Sibley, of the House--14.

Those who voted for Mr. Rapier are, Messrs. Brodnax and Toulmin, of the Senate; Messrs. Evans, Foster, Magee, Moulton, and Taylor, of the House--7.

Mr. Phelan having received 51 votes, it being a majority of all the votes cast, was declared by Mr. Speaker duly and constitutionally elected supreme court judge, to fill the vacancy occasioned by the resignation of the Hon. R. W. Walker.

The Senate then returned to its chamber, and resumed the consideration of the bill to provide food and raiment for the families of soldiers, &c.

On motion of Mr. Barnes, the further consideration of the bill was postponed until Monday next, at 11 o'clock.

Senate then proceeded to consider the messages from the House, and disagreed to the amendment of the House to the Senate amendment to the House bill to require railroad companies to keep lights and water on their trains.

House bill to repeal a local law therein named in Jefferson county;

Was read three times, and passed.

The next special order, it being the bill to exempt certain persons therein named from military duty in the provisional army of the Confederate States, was taken up.

The question being on Mr. Reavis' amendment.

By leave, Mr. Reavis withdrew said amendment.

The bill was read a third time, and passed.

The next special order, the bill to repeal in part an act making appropriations for the military defense of the State, &c., being on its second reading;

Mr. Toulmin moved to strike out 26th line.

On motion of Mr. Rice, of Montgomery, the further consideration of the bill was postponed till to-morrow.

The next special order, being the bill to amend an act declaring who shall be exempt from militia duty, was taken up.

The question was on Mr. Reavis' amendment, which, by leave, Mr. Reavis withdrew.

The question then recurred on the amendment of the committee:

Which was adopted, the bill read a third time, and passed.

On motion of Mr. Reavis, the bill to provide for the sale of certain State salt works, &c., was taken from the table.

The bill was on its second reading;

Mr. Clarke moved to amend, by substitute.

Pending the consideration of which,

Senate adjourned till 3, p. m.

AFTERNOON SESSION.

Senate met pursuant to adjournment,

And proceeded to consider the bill under consideration at adjournment.

On motion of Mr. Reavis, the further consideration of the bill was postponed till 11 o'clock, to-morrow.

By leave, Mr. Powell introduced a bill to amend section 1811 of the code:

Which was read twice.

Mr. Reavis moved to amend, by striking out "30" and inserting "50."

The bill was referred to the judiciary committee.

The special order being the House bill to regulate omnibus charges, on motion of Mr. Reavis, was indefinitely postponed.

The next special order, the bill to amend section 638 of the code, on its second reading;

Was read a third time, and passed.

The next special order, the bill to repeal an act to suspend, during the war, the statute of non-claims in certain cases, the question pending being on the adverse report of the judiciary committee.

The report was not concurred in, and the bill was read a third time, and passed.

Message from the House by Mr. Clitherall.

Mr. President

The House has originated and passed a bill to amend the revenue laws of this State.

Which bill the Senate proceeded to consider;

Which was read twice, and referred to the committee on finance and taxation.

The next special order, the bill to exempt certain persons therein named from military duty in the provisional army of the Confederate States;

Was laid on the table.

The next special order, the bill in relation to the lease of Jno. P. Figh & co., the question being on the adverse report of the committee;

Which report was concurred in.

The next special order, the bill to increase the efficiency of the Quartermaster's department of the State of Alabama, it being on its second reading.

Mr. Brodnax moved to amend as follows: "Provided that no person shall be appointed clerk who is liable to conscription or State service;"

Which was adopted.

Mr. Harrison moved to strike out section four;

Which was lost.

Mr. Ligon moved to strike out the last four lines of section ten;

Which was also lost.

Mr. Clarke moved to reconsider the vote adopting the amendment of Mr. Brodnax:

Which was lost.

The bill was read a third time, and passed.

Senate adjourned till 10 o'clock, to-morrow morning.

FRIDAY, DECEMBER 4, 1863.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Taylor, private secretary of the Governor.

CALL OF THE DISTRICTS.

Bills were introduced—

By Mr. McCall, to require probate judges to make official certificates and affix county seals free of charge in certain cases;

Which was read three times, and passed.

Mr. Ligon presented the petition of citizens of Macon county upon the subject of distillation of grain;

Which was read twice, and referred to the committee on propositions and grievances.

By Mr. Barnes, a bill for the relief of Royal Towers of the county of Chambers;

Which was read twice, and referred to the judiciary committee.

Mr. Garrett, from the committee on State printing, reported favorably to the bill to repeal an act to direct the binding of certain copies of the acts of the General Assembly:

Which was read a third time, and passed.

Also, from the committee on Confederate relations, reported joint resolutions in relation to the steamer Florida:

Which were read three times, and adopted.

Mr. Payne, from the committee on education, reported favorably to the bill to amend an act to render more efficient the system of public schools in the State of Alabama.

Mr. Groce, from select committee, reported favorably to the bill to change the times of holding the circuit courts in the 5th and 10th judicial circuits.

All of which bills were read a third time, and passed.

Mr. Harrison, from the committee on banks and banking, reported a bill for the final liquidation of the State bank and branches;

Which was read three times, and passed.

Leave of absence was granted to Mr. Hammond the balance of the session.

Message from the House by Mr. Clitherall.

Mr. President:

The House of Representatives has passed Senate bills:

To amend section 3600 of the code;

For the relief of W. M. Seldon, trustee;

To ratify and confirm the agreement of the Governor of Alabama in manufacturing cotton and wool cards.

The House has rejected Senate bills:

To amend sections 1869 and 1871 of the code;

Defining the duties of debtor and creditor in certain cases.

The House has originated and passed bills:

To increase the fees now allowed by law for apprehending and committing runaway slaves;

For the relief of Thos. Kelley;

To make certain persons subject to military service in the Confederate States army;

For the distribution of the educational fund;

To define the duties of common carriers in certain cases;

To secure the trial of slaves under indictment;

For the relief of A. S. Toler, administrator, &c., of R. R. Pool;

The better to regulate the fees of the judges of the probate courts of Greene, Marengo, and Choctaw.

Mr. Coleman, from the committee on enrolled bills, reported the following as correctly enrolled:

To authorize the formation of volunteer companies in the 1st, 2d, and 3d congressional districts;

To amend an act to re-organize the militia of the State of Alabama;

In relation to the Alabama State tract books;

Bill for the relief of S. B. Harmon, tax collector of Macon county;

For the relief of soldiers' families in Pike county;

For the relief of justices of the peace in the county of Montgomery;

Joint resolutions in respect to the enforcement of the conscript law of the Confederate States;

To consolidate the offices of county treasurer and clerk of the circuit court in Baldwin county;

Message from the Governor by Mr. Taylor:

Mr. Speaker :

The Governor has approved the following bills which originated in the Senate, entitled:

An act to provide water for the State penitentiary;

An act to authorize the Governor to rescind certain contracts therein named;

An act for the relief of the families of soldiers in the army of the Confederate States.

Also, joint resolutions appointing 10th day of December as a day of fasting, humiliation, and prayer.

EXECUTIVE DEPARTMENT OF ALABAMA, }
Montgomery, December 4, 1863. }

To the General Assembly of the State of Alabama :

Gentlemen :—The office of chancellor of the middle chancery division of Alabama has become vacant by the resignation of the Hon. Wm. M. Byrd.

T. H. WATTS, Governor of Alabama.

On motion of Mr. Barnes, the vote was reconsidered postponing, till Monday, the bill to provide food and raiment for soldiers' families, &c.

The question was pending on Mr. Cato's amendment, which, by leave, was withdrawn.

Mr. Jackson moved to amend, so as to make the operation of the bill apply to the counties of Franklin, Lawrence, Morgan, Jackson, Madison, Limestone, Lauderdale, and Marshall.

The bill was so amended throughout.

Also, further to amend, by additional section as section 10.

Which was adopted, the bill read a third time, and passed.

The caption was amended by adding the following words: in certain counties therein named."

House bills—

To secure the trial of slaves under indictment;

For the relief of A. S. Toler, administrator, and Susan J. Pool, administratrix, of R. R. Pool;

To increase the fees now allowed by law for apprehending and committing to jail runaway slaves;

For the relief of Thomas Kelley;

For the distribution of the educational fund;

Were severally read three times, and passed.

House bill to make certain persons subject to military service in the army of the Confederate States;

Was read twice.

Mr. Rice, of Montgomery, moved to amend, by proviso, as follows: "Provided, however, that any of the officers, above named, who may have as many as three sons in the military or naval service of the Confederate States, shall be exempt from the provisions of this act and from militia duty."

The bill and amendment were referred to the military committee.

House bill to define the duties of common carriers in certain cases;

Was read twice, and referred to the judiciary committee.

House bill to better regulate the fees of the probate judges of the counties of Greene, Marengo, and Choctaw;

Was read twice, and referred to a select committee, to-wit: Messrs. Clarke and Reavis.

Mr. Reavis, from the committee on finance and taxation, reported a substitute for the bill to authorize the issue and sale of State bonds, with the caption "to authorize the issue of treasury notes."

Which substitute was adopted, the bill read a third time, and passed.

The Senate proceeded to consider the special order, the bill to amend an act to incorporate the city of Montgomery.

Mr. Garrett moved to amend, by proviso, as follows: "Provided, that this act shall not take effect until at least two-thirds of the voters, embraced within the limits proposed to be extended, file their written consent to this act with the corporate authorities of the city."

Which, on motion of Mr. Rice, of Montgomery, was laid on the table.

Mr. Garrett moved to postpone the further consideration of the bill till Tuesday;

Which was lost—yeas 9, nays 13.

Those who voted in the affirmative are, Messrs. Coleman, Ervin, Garrett, Groce, Hill, Ligon, Payne, Powell, and Reavis—9.

Those who voted in the negative are, Messrs. Barnes, Brodnax, Cato, Clarke, Harrison, Jackson, Lewis, Moren, McCall, Peacock, Rice of Montgomery, Toulmin, and Wood—13.

House bill (special order) for the relief of J. T. Holtzclaw;

Was read a third time, and passed.

On motion of Mr. Garrett, the bill was laid on the table.

By leave, Mr. Rice, of Montgomery, presented the petition of John P. Figh & co.;

Which was referred to the committee on salt supply.

The Senate proceeded to consider the special order, the bill to provide for the sale of certain State salt works, &c.

The question pending being on the substitute of Mr. Clarke.

Mr. McCall moved to strike out section 2 of the substitute.

On motion of Mr. Reavis, the bill and amendments were referred to a committee of three, to-wit: Messrs. Reavis, Rice of Montgomery, and Clarke.

Mr. Toulmin introduced a bill to repeal in part an act to regulate the sale and exportation of corn, approved December 8, 1862;

Which was read three times, and passed.

Senate then adjourned till 10 o'clock, to-morrow morning.

SATURDAY, DECEMBER 5, 1863.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Tichenor.

On motion of Mr. Ligon,

Resolved, That this body has heard of the unexpected arrival of General Braxton Bragg in this city, to-day; and as a testimonial of our high regard of that gallant officer, we tender him a seat in the Senate chamber, and that a committee of three be appointed to inform him of the action of this body.

Messrs. Ligon, Toulmin, and Brodnax, were appointed said committee.

Message from the House by Mr. Clitherall.

Mr. President :

The House has originated and passed bills:

For the benefit of the military aid society of Mobile, and for other societies therein named:

For the relief of Thomas W. Hine;

To provide for the military defense of the State of Alabama;

Joint memorial for the relief of 26th regiment Alabama volunteers;

To amend section 3301 of the code;

To pay expenses of the inauguration of his Excellency T. H. Watts;

To authorize the commissioners' court of Mobile county to increase the salary of the judge of the city court of Mobile;

For the relief of Jane Kirk of Macon county;

For the relief of persons rendered destitute by the seizure, waste, or destruction of their means of subsistence by the public enemy;

To explain and carry into effect joint resolutions, &c.:

For the relief of A. A. Henderson;

For the relief of tax collector of Calhoun county;

To give the Governor power in certain cases;

Joint resolutions in relation to the services of General Jos. E. Johnston.

The House has passed Senate bills:

To establish a criminal court for the county of **Montgomery**, with civil jurisdiction;

To incorporate a mining and manufacturing company;

To amend an act declaring who shall be exempt from militia duty, &c.; and has amended said bills as therein shown.

The House has passed Senate bills:

Appropriating a sum of money to pay for the preparation of treasury note change bills;

To relieve tax payers in certain cases;

To consolidate the unexpended fund of the military appropriations.

And has amended the Senate amendment to the House joint resolutions in relation to soldiers' pay.

The House has rejected the Senate bills:

Further to amend an act to amend the revenue laws;

To allow probate judges to make publication in certain cases.

Mr. Coleman, from the committee on enrolled bills, reported the following as correctly enrolled:

To provide for the location, partition, and allotment of lands held in common by two or more railroad companies;

To amend section 3600 of the code;

To ratify and confirm the agreement of the Governor of Alabama in manufacturing cotton and wool cards;

For the relief of W. M. Seldon, trustee;

Appropriating a sum of money to pay for the preparation of treasury note change bills.

Message from the Governor by Mr. Taylor:

Mr. President:

The Governor has approved the following bills, which originated in the Senate, entitled:

An act in relation to the Alabama State tract books;

An act to authorize the formation of volunteer companies in the first, second, and third congressional districts;

An act for the relief of soldiers' families in Pike county;

An act to consolidate the offices of county treasurer and clerk of the circuit court of Baldwin county;

An act to amend an act entitled "an act to re-organize the militia of the State of Alabama," approved August 29, 1863;

An act for the relief of justices of the peace in the county of Montgomery.

Also, joint resolutions in respect to the enforcement of the conscript law in the Confederate States.

Mr. Toulmin, from the military committee, reported a substitute for the bill in relation to the ordnance department,

with the caption "to compensate A. B. Clitherall as ordnance officer;"

Which was adopted, the bill read a third time, and passed.

Mr. Reavis presented the memorial of certain citizens of Sumter county;

Which was referred to a select committee of three, to-wit: Messrs. Reavis, Clarke, and Rice of Montgomery.

Mr. Reavis, from select committee, reported a substitute for the bill to provide for the sale of certain State salt works, &c., with the caption "to amend the 3d section of an act to enable the people of Alabama to procure necessary supplies of salt at reasonable prices. &c.."

Mr. Harrison moved an additional section as section two;

Which was adopted.

Mr. Toulmin moved to amend, by proviso: "Provided, that the commissioner and agent, appointed by the Governor under this act, shall receive the amount of their pay, or salaries, in Confederate or State treasury notes, at the option of the State treasurer;"

Which was adopted.

The bill was read a third time, and passed.

Mr. Clarke, from select committee, reported favorably to the bill from the House to better regulate the fees of the probate judges of Greene, Marengo, and Choctaw counties;

Which was read a third time, and passed.

On motion of Mr. Reavis,

Resolved, The House of Representatives concurring, that the two Houses will assemble in joint convention in the hall of the House, on Tuesday, the 8th instant, for the purpose of electing a chancellor for the middle chancery division, to fill the vacancy occasioned by the resignation of Honorable W. M. Byrd.

Mr. Clarke, from the committee on finance and taxation, reported favorably to the House bill to amend the revenue laws, with the following amendments: 1st, strike out sections 1 and 2; 2d, amend by additional section as section 7.

The Senate proceeded to consider the amendments; and the question first being on striking out section 1,

Mr. Ligon moved to amend, by striking out "50" and inserting "25."

A division of the question being called for: the question was first taken on striking out and lost.

The amendment of the committee to strike out section one was adopted—yeas 14, nays 6.

Those who voted in the affirmative are, Messrs. Cato, Coleman, Garrett, Groce, Harrison, Jackson, Ligon, Moren, Payne,

Peacock, Powell, Reavis, Rice of Montgomery, and Wood—14.
Those who voted in the negative are, Messrs. Brodnax,
Clarke, Ervin, Hill, McCall, and Toulmin—9.

Section two was stricken out.

Mr. Rice, of Montgomery, moved to amend the amendment of the committee, to-wit: section 7, as reported, by adding thereto the following: "And the tax of 15 per cent., mentioned in the 7th section of said act, shall not be collected except from persons or corporations who have actually refused to redeem some of the paper issued by them respectively; where there is no such refusal there shall be no such tax of 15 per cent. mentioned in said 7th section of said act of December 9, 1862;"

Which was adopted.

The amendment as amended was also adopted.

Mr. Groce moved to amend, by additional section as section eight;

Which was adopted, the bill read a third time, and passed.

By leave, Mr. Rice of Montgomery, introduced a bill for the exemption of the officers of the penitentiary from conscription;

Which was read three times, forthwith, and passed.

Senate adjourned till 3, p. m.

AFTERNOON SESSION.

Senate met pursuant to adjournment.

Message from the House by Mr. Clitherall.

Mr. President:

The House has originated and passed the following bills:

For the relief of Wiley Glover of Calhoun county;

To incorporate the Selma iron works;

To render more efficient the system of public schools, so far as relates to Sumter county;

To incorporate the fast freight forwarding company;

To authorize M. L. Davis, and others, to draw certain funds;

Joint resolution withdrawing public land;

To amend charter of towns of Marion and Montavallo;

For relief of Samuel A. Fitts, administrator, &c.

The Senate proceeded to consider the House messages:

Senate concurred in the amendments of the House to the bills:

To establish a criminal court for the county of Montgomery;

To incorporate a mining and manufacturing company;

To amend an act declaring who shall be exempt from militia duty, &c.

Joint resolutions of the House in relation to soldiers' pay, &c., amended by substitute in the House, came next.

Mr. Rice, of Montgomery, moved to amend the House amendment, by inserting between the words "having served," the words "rightfully and properly;"

Which was adopted.

And the House substitute, as amended, was concurred in.

House joint memorial to the War Department for the relief of the 26th Alabama regiment, was adopted.

House bills—

For the relief of the tax collector of Calhoun county;

To pay the expences of the inauguration of his Excellency T. H. Watts;

For the relief of A. A. Henderson, a minor;

More fully to explain and carry into effect joint resolutions of the General Assembly in relation to Alabama volunteers;

To authorize the county commissioners of Mobile county to increase the salary of the judge of the city court of Mobile;

To provide for the military defense of the State of Alabama;

To give the Governor power in certain cases;

To amend an act to render more efficient the system of public schools, &c., so far as Sumter county is concerned;

For the relief of Samuel A. Fitts, administrator, &c.;

To authorize M. L. Davis and D. W. Hollis to draw certain funds for the relief of indigent families of soldiers in Marion county, &c.;

Were severally read three times, forthwith, and passed.

House bill to amend section 3201 of the code;

Was read twice.

Mr. Rice, of Montgomery, moved to amend, by proviso: "Provided, that nothing herein contained shall destroy, abate, or bar any prosecution now pending or hereafter commenced for any offence referred to in this act;"

Which was adopted, the bill read a third time, and passed.

House bill for the relief of Mrs. Jane Kirk of Macon county:

Was read twice.

Mr. Reavis moved to amend, by substitute.

Mr. Ligon moved to lay said substitute on the table;

Which was carried—yeas 11, nays 8.

Those who voted in the affirmative are, Messrs. President, Brodnax, Clarke, Coleman, Ervin, Groce, Ligon, Moren, McCall, Toulmin, and Wood—11.

Those who voted in the negative are, Messrs. Beeson, Cato, Harrison, Hill, Payne, Peacock, Reavis, and Rice of Montgomery—8.

The bill was read a third time, and passed—yeas 16, nays 3.

Those who voted in the affirmative are, Messrs. President, Brodnax, Cato, Clarke, Coleman, Ervin, Groce, Harrison, Hill, Ligon, Moren, McCall, Payne, Peacock, Reavis, and Wood—16.

Those who voted in the negative are, Messrs. Beeson, Rice of Montgomery, and Toulmin—3.

House bill to repeal an act to amend the charters of the towns of Marion in Perry county, and Montevallo in Shelby county, so far as the town of Marion is concerned:

Was read twice.

Mr. Moren moved to strike out the last two lines of the bill from the word "repealed;"

Which was adopted, the bill read a third time, and passed.

The caption was amended by striking out all after the words "Shelby county."

House joint resolutions in relation to the services of Gen'l Jos. E. Johnston were adopted.

House bill for the relief of Thomas W. Hine;

Was read twice, and referred to the committee on propositions and grievances.

House bill for the benefit of the military aid society of Mobile and other societies therein named;

Was read twice, and referred to the select committee of which Mr. Moren is chairman.

House bill for the relief of Wiley Glover of Calhoun county;

Was read twice, and referred to the committee on 16th section.

House joint resolution directing the commissioner of public lands to withhold patents in certain cases;

Was read twice, and referred to the committee on public lands.

House bill for the relief of persons rendered destitute by the seizure, waste, or destruction of their means of subsistence by the public enemy:

Was read twice, and referred to the judiciary committee.

House bills—

To incorporate the fast freight and forwarding company;

To incorporate the Selma iron works;

Were severally read twice, and referred to the committee on corporations.

The Senate proceeded to consider the special order, it being the House bill to repeal in part an act making appropriations for the military defense of the State, approved February 6th, 1861, &c.;

Was postponed until Monday, at 11 o'clock.

By leave, Mr. Reavis introduced a bill to include certain families of soldiers within the benefits of appropriations for families of soldiers from this State:

Which was read twice.

Mr. Rice, of Montgomery, moved to amend, by proviso, as follows: "Provided, the said families were residing in the State at the time of the volunteering or conscripting of said soldiers belonging to said families."

Mr. Ligon offered the following, as a substitute for Mr. Rice's amendment: "Provided said families have been residing within the State twelve months prior to the passage of this act."

Pending the discussion of which.

Senate adjourned till 10 o'clock, Monday morning—yeas 11, nays 6.

Those who voted in the affirmative are, Messrs. President, Cato, Coleman, Ervin, Hill, Jackson, Ligon, Payne, Peacock, Rice of Montgomery, and Toulmin—11.

Those who voted in the negative, are Messrs. Brodnax, Clarke, Harrison, Moren, McCall, and Reavis—6.

MONDAY, DECEMBER 7, 1863.

Senate met pursuant to adjournment.

Prayer by the Rev. Mr. Guthrie, Jewish Priest.

CALL OF THE DISTRICTS.

Bills were introduced—

By Mr. Barnes, in relation to deserters from the Confederate service.

By Mr. Wood, for the relief of Eliza Jane Harris of Randolph county.

By Mr. Reavis, to incorporate the Mobile and Selma coal mining company.

All of which were severally read three times, forthwith, and passed.

Message from the House by Mr. Clitherall:

Mr. President:

The House has originated and passed the following bills:

To continue the office of commissioner and trustee, &c.;

To extend to the probate court of Jefferson and other counties the provisions of an act therein named;

To provide for the maintenance of civil authority and the preservation of law and order within the limits of this State;

To increase the fees of jailors;

For the relief of Wm. S. Knox of Dallas county;

To fix the fees of solicitors in certain cases;

To amend section 3536 of the code;

For the relief of T. B. Bethea;

To provide cotton and wool cards for the indigent families;

To repeal in part an act to increase the fees of the clerk of the supreme court;

For the relief of families of soldiers who have died in the service;

To make appropriations for the fiscal year ending 30th September, 1864;

Joint resolution in relation to taxation and the Confederate currency.

The House has amended the resolution of the Senate as to the election of a chancellor, by striking out "Tuesday, 8th instant," and inserting "Monday, 7th," and thus amended has adopted the same.

The House insists on its amendment to the amendment of the Senate to the House bill to require railroad companies to keep lights and water on their trains.

The House refuses to concur in the Senate amendments to the bills:

To amend the law in regard to advertising absconding slaves;

To contribute to the support of the indigent families of soldiers, &c.

And concurs in the Senate amendment to the bill to authorize Richard T. Starr to marry.

The House has passed the Senate bills:

To regulate the fees of solicitors in certain cases;

For the relief of the tax collectors of this State;

For the relief of guardians, and to secure the estates of their wards;

For the relief of Dickson, Nelson & co. and Lewis G. Sturdivant;

Joint resolutions in relation to the steamer Florida.

Mr. Reavis from the committee on 16th section, reported favorably to the bill for the relief of Wiley Glover of Calhoun county;

Which was read a third time, and passed.

Mr. Brodnax, from the committee on propositions and grievances, reported favorably to the bill from the House for the relief of Thomas W. Hine,

Which was read a third time, and passed.

Mr. Lewis, from the committee on corporations, reported favorably to the bill to incorporate the Selma iron works;

Which was read a third time, and passed.

Mr. Cato, from the committee on public lands, reported fa-

vorably to the bill directing the commissioner of public lands to withhold patents in certain cases;

Which was read a third time, and passed.

Mr. Toulmin, from the military committee, reported favorably to the House bill to make certain persons subject to military duty in the army of the Confederate States.

Mr. Coleman moved to amend, by proviso, as follows: "Provided that any officers, above named, who may have as many as three sons in the military or naval service of the Confederate States, shall be exempt from the provisions of this act and from militia duty."

Which, on motion of Mr. Ligon, was laid on the table.

Message from the Governor by Mr. Taylor:

Mr. President:

The Governor has approved the following Senate bills:

For the relief of Samuel B. Harmon, tax collector of Macon county;

To provide for the location, partition, and allotment of lands held in common by two or more railroad companies;

For the relief of the western railroad company;

Appropriating a sum of money for the preparation of treasury note change bills;

To ratify and confirm the agreement of the Governor of Alabama in manufacturing cotton and wool cards;

To amend section 3600 of the code.

I am instructed to return to the Senate the bill for the benefit of the widow and children of James Morgan, deceased, without his approval, with his objections thereto.

EXECUTIVE DEPARTMENT OF ALABAMA, /
Montgomery, December 5, 1863. }

TO HON. THOMAS A. WALKER,

President of the Senate of Alabama.

Sir:—I cannot give my approval to the bill, originating in the Senate, to be entitled "an act for the benefit of the widow and children of James Morgan."

The bill authorizes Rose Morgan, the administratrix of Jas. Morgan, to invest such an amount of treasury notes, assets of the estate of said Morgan, as she may deem for the benefit of the widow and children of said James Morgan, in real estate, &c.

A court of chancery is competent to grant such relief, if the rights of the creditors of the estate will permit it. If the rights of creditors will not permit it, then neither the court of chancery nor the legislature has the constitutional power to authorize such investment.

If the rights of creditors do not prevent such relief, then

the 29th section of the 3d article of the constitution, which prohibits the enactment of "any special law for the benefit of individuals in cases which are provided for by a general law. or where the relief sought can be given by any court of this State," makes the bill unconstitutional. For these reasons I cannot give my approval to the bill.

T. H. WATTS, Governor of Alabama.

The bill passed, notwithstanding the veto of the Governor—yeas 17, nays 5.

Those who voted in the affirmative are, Messrs. President, Barnes, Brodnax, Clarke, Coleman, Ervin, Groce, Hill, Jackson, Lewis, Ligon, McCall, Powell, Reavis, Rice of Montgomery, Toulmin, and Wood—17.

Those who voted in the negative are, Messrs. Beeson, Cato, Garrett, Moren, and Payne—5.

Mr. Hill, from the committee on salt supply, reported adversely to the petition of John P. Figh & co.

Mr. Rice, of Montgomery, moved to lay the report on the table;

Which was lost.

And the report was concurred in.

On motion of Mr. Reavis, the Senate concurred in the amendment of the House to the resolution proposing to elect a chancellor.

Mr. Rice, of Montgomery, from the judiciary committee, reported favorably, with an amendment, to the House bill for the relief of persons rendered destitute by the seizure, waste, or destruction of their means of subsistence by the public enemy;

Which amendment was adopted.

Mr. Payne moved to strike out all after the word "appropriated" in the third line of the sixth section;

Which was adopted.

The bill was read a third time, and passed—yeas 22, nays 00.

Those who voted in the affirmative are, Messrs. President, Beeson, Brodnax, Clarke, Coleman, Ervin, Garrett, Groce, Harrison, Hill, Jackson, Ligon, Lewis, Moren, McCall, Payne, Peacock, Powell, Reavis, Rice of Montgomery, Toulmin, and Wood—22.

Mr. Moren, from the hospital committee, reported a bill in relation to Alabama hospitals at Richmond, Virginia;

Which was read twice, and re-committed to a select committee, to-wit: Messrs. Moren, Cato, and Ervin.

Mr. Reavis, by leave, introduced a bill to authorize the issue and sale of State bonds, and for other purposes;

Which was read twice.

Mr. Garrett moved to amend, by additional section as section three; which was adopted.

The bill was read a third time, and passed.

Mr. Harrison, from the joint select committee on the State seal, reported that the committee could not agree, and asked leave to further consider the matter submitted to them and report the same at the next session of the General Assembly.

Which report was concurred in.

At the hour of 12, m., the Senate, by invitation, repaired to the hall of the House, when the two Houses in joint convention proceeded to the election of a chancellor for the middle chancery division.

Mr. Joseph R. John, of Dallas county, alone being in nomination and having received 98 votes, it being all the votes cast, was declared by Mr. Speaker duly and constitutionally elected chancellor of the middle chancery division for the unexpired term of **W. M. Byrd**, resigned.

The Senate then returned to its chamber and proceeded to consider the House messages.

The Senate insisted on its amendment to the bill to amend the law in relation to advertising absconding slaves.

The Senate concurred in the House amendment to the bill to incorporate the Montevallo coal mining company.

The Senate insisted on its disagreement to the House amendment to the Senate amendment to the House bill to require railroad companies to keep lights and water on their trains.

The Senate insisted on its amendment to the House bill to contribute to the support of indigent families of soldiers, &c.; and appointed Messrs. Ligon, Reavis, and Rice of Montgomery, a committee of conference on the part of the Senate, and asked for a like committee on the part of the House.

The Senate concurred in the House amendment to the Senate bill to authorize the construction of a branch railroad therein named.

The Senate insisted on its amendment to the House substitute for the Senate substitute for the House joint resolutions in reference to soldiers' pay, &c.—yeas 19, nays 5.

Those who voted in the affirmative are, Messrs. President, Barnes, Brodnax, Cato, Clarke, Coleman, Ervin, Groce, Harrison, Hill, Jackson, Lewis, McCall, Payne, Peacock, Reavis, Rice of Montgomery, Touhmin, and Wood—19.

Those who voted in the negative are, Messrs. Beeson, Garrett, Ligon, Moren, and Powell—5.

Mr. Moren, from select committee, reported favorably to the House bill for the benefit of the military aid society of Mobile, and other societies therein named.

Senate adjourned till 4, p. m.

AFTERNOON SESSION.

Senate met pursuant to adjournment.

Message from the House by Mr. Clitherall.

Mr. President :

The House has originated and passed bills:

For the relief of the estate of Ovid Mazange;

For the protection of attorneys, agents, and other officers of the State;

To incorporate the Cahaba iron and coal mining company;

To incorporate the Baptist orphans asylum for the State of Alabama.

Mr. Coleman, from the committee on enrolled bills, reported the following as correctly enrolled:

To incorporate a mining and manufacturing company;

For the relief of indigent families of soldiers in the county of Macon;

To suppress more effectually the distillation of grain;

Joint resolutions in relation to the steamer Florida;

To consolidate the unexpended fund of the military appropriations.

To relieve tax payers in certain cases:

For the relief of guardians, and to secure the estates of their wards;

To amend an act declaring who shall be exempt from militia duty;

To encourage and promote the manufacture of lubricating oil;

To establish a criminal court for the county of Montgomery;

In relation to the exemption of firemen from militia duty;

For the relief of Dickson, Nelson & co. and Lewis G. Sturdivant;

For the relief of the tax collectors of this State;

To authorize the court of probate of Pike county to grant an order of sale of the land of Eli Parks privately;

To regulate fees of solicitors in certain cases;

To incorporate a rolling mill company.

Message from the House by Mr. Clitherall.

Mr. President :

The House has passed Senate bill to consolidate certain land districts therein named, and has amended the same as therein shown;

And has passed the following Senate bills:

To amend an act to enable the people of Alabama to procure necessary supplies of salt at reasonable prices, &c.;

To repeal an act to regulate the sale and exportation of corn, &c.;

For the exemption of the officers of the penitentiary from conscription;

To compensate A. B. Clitherall as ordnance officer;

To require probate judges to make certificates and affix county seals, free of charge, in certain cases;

To amend an act to establish an institution for the deaf and dumb, &c.;

To compensate sheriffs and other officers in certain cases;

To regulate the settlement of accounts in the military department of the State;

To incorporate the Oakfoskee manufacturing company.

The Senate resumed the consideration of the House bill for the benefit of the military aid society of Mobile, and other societies therein named.

Mr. Cato moved to amend, by additional sections as sections five, six, and seven.

Mr. Beeson moved to lay the bill and amendment on the table.

A division of the question being called for, the question was first taken on laying the bill on the table:

Which was lost—yeas 3, nays 17.

Those who voted in the affirmative are, Messrs. President. Beeson, and Brodnax—3.

Those who voted in the negative are, Messrs. Cato, Clarke, Coleman, Ervin, Garrett, Groce, Harrison, Hill, Ligon, Lewis, Moren, McCall, Payne, Powell, Reavis, Toulmin, and Wood—17.

The question was next taken on laying the amendment on the table;

Which was carried—yeas 13, nays 11.

Those who voted in the affirmative are, Messrs. Barnes, Beeson, Clarke, Coleman, Ervin, Harrison, Jackson, Ligon, Lewis, Moren, Payne, Reavis, and Toulmin—13.

Those who voted in the negative are, Messrs. President, Brodnax, Cato, Garrett, Groce, Hill, McCall, Peacock, Powell, Rice of Montgomery, and Wood—11.

Mr. Powell moved to amend, by including in the appropriations "the wayside home of Tuscaloosa, \$3000."

Which was lost.

Mr. Harrison moved to amend as follows: 1st, strike out "\$10,000" in section 1, and insert "\$5000;" 2d, strike out "\$10,000" in section 2, and insert "\$5000;" 3d, strike out "\$5000" in section 3, and insert "\$2500."

Mr. Reavis moved to lay said amendment on the table;

Which was lost—yeas 9, nays 13.

Those who voted in the affirmative are, Messrs. President,

Brodnax, Cato, Garrett, Groce, Harrison, McCall, Payne, and Peacock—9.

Those who voted in the negative are, Messrs. Beeson, Clarke, Ervin, Hill, Jackson, Ligon, Lewis, Moren, Powell, Reavis, Rice of Montgomery, Toulmin, and Wood—13.

The bill was read a third time, and passed.

Mr. Lewis, from the committee on corporations, reported favorably to the House bill to incorporate the fast freight and forwarding company;

Which was read a third time, and passed.

House bill to provide for the maintenance of civil authority and the preservation of law and order within the limits of this State;

Was read twice, and referred to the judiciary committee.

Senate disagreed to the House amendment to the bill to consolidate certain land districts therein named.

House bill to make appropriations for the fiscal year ending the 30th September, 1864;

Was read twice, and referred to the committee on finance and taxation.

House bills—

For the relief of T. B. Bethea;

To continue the office of commissioner and trustee, &c.;

To extend to the probate court of Jefferson and other counties the provisions of an act therein named;

To increase the fees of jailors;

For the relief of William S. Knox of Dallas county;

To provide cotton and wool cards for indigent families;

For the protection of attorneys, agents, and other officers of the State;

To fix the fees of solicitors in certain cases;

For the relief of H. P. Watson;

Were severally read three times, forthwith, and passed.

Senate then adjourned till 10 o'clock, to-morrow morning.

TUESDAY, December 8, 1863.

Senate met pursuant to adjournment.

Message from the House by Mr. Clitherall.

Mr. President:

The House has passed the following bills :

For the relief of Jeremiah Fail;

To incorporate the Selma and Mobile coal mining company, amended as therein shown;

To increase the efficiency of the Quartermaster's department of the State of Alabama.

The House refuses to concur in the 1st, 2d, and 5th amendments of the Senate to the House bill to authorize the issue and sale of State bonds, and ask a committee of conference thereon. Messrs. Chambers, Lawler, and Benners, compose the committee on the part of the House.

The House recedes from its amendment to the Senate amendment to the bill to require railroad companies to keep lights and water on their trains.

The House has amended and passed the Senate bill to provide for paying for medicines furnished to the indigent families of soldiers, &c.

The House insists on its disagreement to the Senate amendment to the bill to contribute to the support of the indigent families of soldiers, &c.; and concurs in the appointment of a committee of conference. Messrs. Modawell, Fannin, and Clarke, compose the House committee.

The House has passed the following Senate bills :

To provide for bringing certain lands into market;

To detach certain counties from the middle chancery division and attach certain others thereto, and to detach certain counties from the southern chancery division and attach others thereto; amended by the House;

To change the time of holding the chancery courts for the 5th, 6th, 7th, 9th, and 12th districts of the southern chancery division;

To authorize the Montgomery mining and manufacturing company to construct railways, &c.

The House has originated and passed bills:

To increase the fees of commissioners and constables in Chambers county;

For the relief of the heirs of Cornelia Steele;

To increase the duties of overseers of roads and to prevent parties from joining fences to public bridges.

The House has amended and passed Senate bill to repeal and modify an act regulating judicial proceedings.

Mr. Coleman, from the committee on enrolled bills, reported the following as correctly enrolled:

To compensate A. B. Clitherall as ordnance officer;

To authorize the construction of a branch rail road therein named;

To repeal in part an act to regulate the sale and exportation of corn, &c.;

To compensate sheriffs and other officers therein named;

To require probate judges to make certificates and affix county seals, free of charge, in certain cases;

To incorporate the Montevallo coal mining company;

To amend an act to establish an institution for the deaf and dumb, &c.;

Message from the Governor by Mr. Taylor, announcing his approval of the following Senate bills:

For the relief of the indigent families of soldiers in Macon county;

To amend an act declaring who shall be exempt from militia duty in this State;

For the relief of William M. Seldon, Trustee;

To suppress more effectually the distillation of grain;

To consolidate the unexpended fund of the military appropriations.

For the relief of guardians, and to secure the estates of their wards;

To encourage and promote the manufacture of lubricating oil;

In relation to the exemption of firemen from militia duty;

To authorize the probate court of Pike county to grant an order of sale of the land of Eli Parks privately;

To relieve tax payers in certain cases;

To establish a criminal court for the county of Montgomery, with civil jurisdiction;

For the relief of Dickson, Nelson & co. and Lewis G. Sturdivant;

To regulate fees of solicitors in certain cases;

Joint resolutions in relation to the steamer Florida;

Message from the Governor by Mr. Taylor:

EXECUTIVE DEPARTMENT OF ALABAMA, }
Montgomery, December 8, 1863. }

Gentlemen of the Senate:

The Honorable M. L. Stansel, of Pickens county, one of the trustees of the State hospital for insane persons in Alabama, having resigned his office, thus creating a vacancy, I hereby nominate for the approval of the Senate to fill said vacancy, the Honorable Jno. J. W. Payne, M. D., of Pickens county.

THOS. H. WATTS.

The nomination was confirmed.

EXECUTIVE DEPARTMENT OF ALABAMA, }
Montgomery, December 8, 1863. }

Gentlemen of the Senate and House of Representatives:

I have to inform you that the office of Adjutant and Inspector General of the Alabama militia is now filled by the appointment of the Governor, and will expire at the close of the present session, and to suggest the adoption of such action as your wisdom may direct.

THOS. H. WATTS.

Senate insisted on its amendment, and agreed to the appointment of a committee of conference on the matter of disagreement between the two Houses, on the bill to authorize the issue and sale of State bonds. Messrs. Harrison, Reavis, and Ligon, compose the Senate committee.

The Senate insisted on its amendment to the House bill to amend the revenue laws of this State, and appointed a committee of conference composed of Messrs. Cato, Rice of Montgomery, and Barnes, and asked for a like committee on the part of the House.

The Senate concurred in the House amendments to the bill to increase the efficiency of the Quartermaster's department.

The Senate refused to concur in the House amendments to the bill to provide for bringing certain lands into market.

House bill to increase the fees of commissioners and constables in Chambers county;

Was read twice, and referred to a select committee, to-wit: Messrs. Cato, Barnes, and Beeson.

House bill to incorporate the Baptist orphans' asylum;

Was read twice.

Mr. Rice, of Montgomery, moved to amend, by additional section as section 8;

Which was adopted, the bill read a third time, and passed.

Message from the House by Mr. Clitherall:

Mr. President:

The House has agreed to the report of the committee of conference on the bill to contribute to the support of the indigent families of soldiers, &c.

House bills—

For the relief of the heirs of Cornelia Steele;

To incorporate the Cahaba coal mining company;

For the relief of the families of soldiers who have died in the military service of the Confederate States army;

For the relief of the estate of O. Mazange;

To amend section 3536 of the code;

To increase the duties of overseers of roads, &c.;

For the relief of Samuel A. Fitts, administrator, &c.;

Were severally read three times, and passed.

Mr. Ligon, from the committee of conference, reported that the committee had agreed to amendments to the bill to contribute to the support of indigent families of soldiers, &c., as follows: add to the proviso in the first section the following, "except in cases where the substitute received \$1500 for becoming a substitute."

Which report was concurred in.

Mr. Moren, from select committee, reported favorably to the bill in relation to Alabama hospitals in Richmond, Virginia.

Mr. Cato moved to amend, by substitute.

Mr. Reavis moved to lay the substitute on the table;

Which was carried--yeas 13, nays 10.

Those who voted in the affirmative are, Messrs. Barnes, Beeson, Clarke, Coleman, Ervin, Harrison, Ligon, Lewis, Moren, Payne, Peacock, Reavis, and Toulmin--13.

Those who voted in the negative are, Messrs. President, Brodnax, Cato, Garrett, Groce, Hill, McCall, Powell, Rice of Montgomery, and Wood--10.

Mr. Reavis moved to amend section two, by substitute:

Which was adopted.

And the bill was read a third time, and passed.

House joint resolutions in relation to taxation and the Confederate currency, were read.

Mr. Rice, of Montgomery, moved to strike out resolution 2;

Which was lost--yeas 9, nays 11.

Those who voted in the affirmative are, Messrs. Barnes, Clarke, Coleman, Groce, Hill, Lewis, Rice of Montgomery, Toulmin, and Wood--9.

Those who voted in the negative are, Messrs. President, Cato, Ervin, Garrett, Harrison, Jackson, McCall, Payne, Peacock, Powell, and Reavis--11.

Mr. Rice, of Montgomery, moved to postpone the further consideration of the resolutions till one minute before twelve o'clock, to-day;

Which was lost--yeas 8, nays 14.

Those who voted in the affirmative are, Messrs. Barnes, Brodnax, Coleman, Hill, Lewis, Peacock, Rice of Montgomery, and Wood--8.

Those who voted in the negative are, Messrs. President, Beeson, Cato, Ervin, Garrett, Groce, Harrison, Ligon, Moren, McCall, Payne, Powell, Reavis, and Toulmin--14.

Mr. Coleman introduced a bill to compensate the doorkeeper of the Senate for money paid out, and for other purposes:

Which was read three times, and passed.

Mr. Clarke, from the committee on finance and taxation, reported favorably to the bill making appropriations for the fiscal year ending 30th September, 1864;

Which was read a third time, and passed.

Mr. Rice, of Montgomery, reported favorably, with amendments, to the bill from the House for the maintenance of civil authority and the preservation of law and order within the limits of this State;

Which amendments were adopted the bill read a third time, and passed.

Mr. Powell moved to reconsider the vote passing the bill;
Which was lost.

Mr. Rice, of Montgomery, from joint select committee, reported a bill to give carpets of the State of Alabama for the use of private soldiers from Alabama in the Confederate service;

Which was read three times, and passed.

Message from the House by Mr. Clitherall.

Mr. President :

The House has originated and passed bills:

For the relief of Samuel A. Fitts, administrator, &c.;

To suspend licenses for the retail of spirituous liquors;

To provide means for paying the public debt.

And has passed Senate bill for the relief of Eliza Jane Harris of Randolph county.

The House insists on its amendment to the Senate bill to provide for bringing certain lands into the market;

And concurs in the Senate amendment to the House bill to incorporate the Baptist orphans' asylum.

The House has passed the Senate bill to repeal an act to direct the binding of certain copies of the acts of the General Assembly.

Mr. Ligon introduced a bill to authorize one or more commissioners to perpetuate testimony in certain cases;

Which was read three times, and passed.

Senate then adjourned till 3½, p. m.

AFTERNOON SESSION.

Senate met pursuant to adjournment.

Message from the House by Mr. Clitherall.

Mr. President :

The House has passed the Senate bills:

In relation to Alabama hospitals at Richmond, Virginia;

To compensate the doorkeeper of the Senate for money paid out, &c.;

To give the carpets of the State for the use of private soldiers, &c.

Mr. Cato, from the judiciary committee, reported adversely to the bill to amend section 1141 of the code:

Which was concurred in.

Mr. Barnes, from select committee, reported a substitute for the House bill to increase the fees of the commissioners and constables of Chambers county.

Mr. Ligon moved to amend, by inserting "chancellors."

On motion of Mr. Reavis, the substitute and amendment were laid on the table.

And the bill was read a third time, and passed.

Message from the House by Mr. Clitherall.

Mr. President :

The House has originated and passed a bill to amend an act to regulate the fees of probate judges in Greene, Marengo, and Choctaw counties.

The House concurs in the report of the conference committee on the bill to amend the revenue laws of this State.

On motion of Mr. Rice, of Montgomery,

House joint resolutions in relation to taxation and the Confederate currency, were taken up.

Mr. Rice, of Montgomery, moved to strike out all of the second resolution after the words "General Assembly;" also, strike out third resolution.

Which were adopted, and the resolutions as amended were adopted.

Mr. Rice, of Montgomery, from the conference committee, reported back the House bill to amend the revenue laws of this State, with amendments:

Which were adopted.

Message from the House by Mr. Clitherall.

Mr. President :

The House has passed the Senate bill to authorize one or more commissioners to perpetuate testimony in certain cases.

The House has adopted joint resolutions in relation to soldiers' pay.

Mr. Rice, of Montgomery, from the judiciary committee, reported as follows :

The judiciary committee ask leave to be discharged from the further consideration of the House bill "to define the duties of common carriers in certain cases;"

"A memorial of certain citizens of Sumter county;"

"A bill to be entitled an act for the relief of Royal Towers of the county of Chambers;" and three other Senate bills and a memorial for the relief of Wm. B. Martin.

The committee have not been able to agree upon these several matters; except in this, that the public interest will not and cannot be prejudiced by the inability of the committee to make a more definite report thereon.

Which was agreed to by the Senate.

Mr. Reavis, from the select committee, reported as follows:

The select committee, to whom was referred the Governor's message in relation to the contract for the manufacture of arms for the State, made with the Alabama arms company,

have had the same under consideration, and have instructed me to report:—

That they have examined said contract, and inspected the works of said company, and are satisfied that the company is now, and have been, doing the best in their power to fulfill said contract. They have erected a large and expensive establishment, and have in operation machinery of the most approved character, capable of turning out thirty efficient guns per day, with an adequate number of competent workmen. The company have not yet turned out any guns in complete condition, but they have made many parts of guns which only need to be finished and put together; and the committee are satisfied, that in a very short time, the company will be supplying the State with arms, in pursuance of their contract, of a superior character. The committee do not think, therefore, that any legislation on the subject referred to is necessary at this time.

REAVIS.

Which report was concurred in.

The Senate refused to concur in the House amendment to the bill to authorize one or more commissioners to perpetuate testimony in certain cases.

House bill to amend an act to regulate the fees of probate judges of Greene, Marengo, and Choctaw counties:

Was read three times, and passed.

House joint resolutions to provide the means of paying the public debt, were laid on the table.

House joint resolutions to suspend licenses for retail of spirituous liquors, were postponed indefinitely.

Message from the House by Mr. Clitherall.

Mr. President:

The House has amended and passed Senate bill to provide for the issue and sale of State bonds.

The House has adopted the following resolution:

Resolved, That, with the concurrence of the Senate, the two Houses will adjourn *sine die* at 9, p. m.

Also, adopted a resolution appointing a committee of three, to act with a like committee of the Senate, to wait upon the Governor and inform him that the two Houses have finished the business before them and will adjourn *sine die*, at 9, p. m., unless he has some further communication to lay before the General Assembly. Messrs. Foster, Bethea, and Fannin, compose the House committee.

Senate concurred in the above resolutions of the House, and Messrs. Harrison, Ligon, and Cato, were appointed the committee on the part of the Senate.

Also, concurred in the House amendment to the bill to provide for the issue and sale of State bonds.

House joint resolutions in relation to soldiers' pay, were read.

Mr. Reavis moved to postpone the further consideration of the resolution until the House of Representatives communicates to the Senate, the opinion or action of the House of Representatives upon the question, whether the secession of the Southern States from the Northern States was rightful and proper, or wrongful and improper—which question is involved in the disagreement of the two Houses on one of the resolutions connected with the increase of the soldiers' pay: the Senate having heretofore communicated, in the resolutions above referred to, its opinion: first, that the aforesaid secession was rightful and proper; and second, that the pay of the soldiers should be increased; and the House of Representatives having, thus far, refused or failed to communicate to the Senate whether said secession was rightful and proper, or not.

Mr. Coleman, from the committee on enrolled bills, reported the following as correctly enrolled:

To incorporate the Oakfoskee manufacturing company;

For the exemption of the officers of the penitentiary from conscription;

To amend the third section of an act to enable the people of Alabama to procure necessary supplies of salt at reasonable prices, and for other purposes, approved December 9, 1862;

To regulate the settlement of accounts in the military department of the State;

For the relief of Jeremiah Fail;

To change the time of holding the chancery court for the 5th, 6th, 7th, 9th and 12th districts of the Southern Chancery divisions.

To detach certain counties from the middle chancery division and attach others thereto, and to detach certain counties from the southern chancery division and attach others thereto;

To increase the efficiency of the Quartermaster's department;

To incorporate the Mobile and Selma coal mining company;

To repeal an act to direct the binding of certain copies of the acts of the General Assembly;

For the relief of Eliza Jane Harris of Randolph county;

To compensate the door-keeper for money paid out, and for other purposes;

In relation to Alabama hospitals at Richmond;

To give the carpets of the State of Alabama for the use of the private soldiers, &c.;

To repeal certain acts regulating judicial proceedings, and for other purposes;

To provide for the issue and sale of State bonds, and for other purposes.

Message from the Governor by Mr. Taylor:

Mr. President :

The Governor has approved the following bills which originated in the Senate:

An act to authorize the construction of a branch road therein named;

An act to provide for paying for medicines furnished to indigent families of soldiers from the State of Alabama in the military or naval service of the Confederate States;

An act to change the time of holding the chancery courts of the 5th, 6th, 7th, 9th, and 12th districts of the southern chancery division of the State of Alabama;

An act to detach certain counties from the middle chancery division and attach others thereto, also to detach certain counties from the southern chancery division and attach others thereto;

An act authorizing the Montgomery mining and manufacturing company to construct railways to and from the different portions of their works;

An act to repeal an act to direct the binding of certain copies of the acts of the General Assembly, approved February 15th, 1854;

An act for the relief of Eliza Jane Harris of Randolph county, Alabama;

An act to compensate sheriffs and other officers in certain cases;

An act for the relief of Jeremiah Fail;

An act to increase the efficiency of the Quartermaster's department of the State of Alabama;

An act to incorporate a rolling mill company;

An act to incorporate a mining and manufacturing company;

An act in relation to Alabama hospitals at Richmond;

An act to repeal certain acts regulating judicial proceedings and for other purposes;

An act to compensate the door-keepers for money paid, and for other purposes;

An act to give the carpets of the State of Alabama for the use of private soldiers from Alabama in the Confederate service;

An act to incorporate the Mobile and Selma coal mining company;

An act to provide for the issue and sale of State bonds, and for other purposes;

An act to amend an act to establish an institution for the deaf and dumb, approved January 27th, 1860;

An act to incorporate the Montevallo coal mining company;

An act to repeal in part an act to regulate the sale and exportation of corn, approved December 8th, 1862;

An act to compensate A. B. Clitherall as ordnance officer;

An act to require probate judges to make certificates and affix county seals free of charge in certain cases;

An act to incorporate the Oakfuskee manufacturing company;

An act for the exemption of the officers of the penitentiary from conscription;

An act to amend the third section of an act to enable the people of Alabama to procure necessary supplies of salt at reduced prices. and for other purposes, approved December 9th, 1862;

An act to regulate the settlement of accounts in the military department of this State.

On motion of Mr. Garrett,

Resolved, That the thanks of the Senate are due to the Hon. Thomas A. Walker for the ability and impartiality with which he presided over its deliberations during the present session.

On motion of Mr. Lewis,

Resolved, That the Senate regard with high satisfaction the faithful and able manner with which the secretary of the Senate, Mr. Taul, has discharged the duties of his office.

Mr. Harrison, from the joint committee of the two Houses to wait upon the Governor, reported that the committee had discharged that duty, and that the Governor had no further communication to lay before them.

The hour of nine o'clock having arrived, the hour fixed by resolution of the two Houses to adjourn *sine die*—

Mr. President returned his thanks to the Senate, in a few brief and appropriate remarks, for the resolution in which the Senate had seen proper to allude to the manner in which he had discharged his duties as presiding officer of the body.

After wishing all a safe return to their families and homes and hoping that when the Senate met again it would be under more favorable circumstances, and that twelve months from this time peace would reign throughout our land, and that the independence of the Confederate States would be achieved and we would once more become a happy and prosperous people he pronounced the Senate adjourned *sine die*.

THOS. A. WALKER,
President of the Senate

Attest: MICAH TAUL, *Secretary of Senate*.

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